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LAWS OF NEW HAMPSHIRE

RELATING TO

PUBLIC SCHOOLS

COMPILED FROM

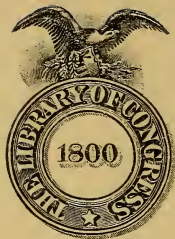
PUBLIC STATUTES AND SESSION LAWS OF

1891-1917

INCLUSIVE



DEPARTMENT OF PUBLIC INSTRUCTION



Class LB 2529

Book .N43
1917



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The Hampshire Laws, Statutes, etc.



DEPARTMENT OF PUBLIC INSTRUCTION

LB 2529

N43

1917

MANCHESTER, N. H.

PRINTED BY JOHN B. CLARKE COMPANY.

1917.

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LAWS RELATING TO PUBLIC SCHOOLS AND CHILDREN.

I.

SCHOOL MONEY—LOCAL.

Required by
law.

The selectmen in each town shall assess annually upon the polls and ratable estate taxable therein, a sum to be computed at the rate of seven hundred and fifty dollars for every dollar of the public taxes apportioned to such town, and so for a greater or less sum.

P. S. 88:1,
as amended
by 48, laws
1905.

[For the public tax apportioned to your town for year 1917 and 1918, see Laws of 1917, also blanks for annual report to department of public instruction. Multiply apportionment for your town by 750, and the result will be money required by law.]

Money for
text-books and
supplies, high
school tuition,
flags and
other statu-
tory require-
ments,—how
raised.

The school board of each district in their annual report shall state in detail the sums of money which will be required during the ensuing fiscal year for the purchase of text-books, scholars' supplies, flags and appurtenances, and for the payment of the tuition of the scholars of the district in high schools and academies in accordance with chapter 96 of the Laws of 1901, and for the payment of all other statutory obligations of the district. The selectmen of the town, in their next annual assessment, shall assess upon the taxable polls and

P. S. 88:2,
as changed by
52, laws
1909; and 68,
laws 1915.

property of the district a sum sufficient to meet the obligations above enumerated, with such alterations thereof as may be voted by the district, and when collected shall pay the same over to the district treasurer.

School money
may be used
for what.

The sum so raised shall be appropriated to the sole purpose of maintaining public schools within the town [district] for teaching reading, writing, English grammar, arithmetic, geography, and such other branches as are adapted to the advancement of the schools, including the purchase of fuel and other supplies, the making of occasional repairs upon schoolhouses, appurtenances, and furniture, and the conveyance of scholars to and from school as provided by law. P. S. 88:3.

[Occasional repairs are those involving a small outlay, not more than five per cent of the total school money. For repairs which amount to remodeling, special appropriations should be made. For conveyance of pupils not more than 25 per cent of all school moneys may be used.]

Assignment to
districts.

The selectmen shall assign to each district a proportion of such money, according to the valuation of the district for the year, or in such other manner as the town, at the annual meeting, shall direct, and shall pay over the same to the school board of the district. P. S. 88:4.

[In most cases there is but one district in a town. The selectmen therefore will pay over the entire school assessment to the district treasurer to be paid out on the order of the school board.]

When a guardian and ward reside P. S. 88:5.
in the same town, the selectmen shall
assign the tax assessed upon the
ward's personal property to the
school district in which the ward lives
and has his home.

Penalty for
neglect of se-
lectmen to
assess, etc.

If the selectmen neglect to assess, P. S. 88:6.
assign, or pay over the school money
as aforesaid, they shall pay for each
neglect a sum equal to that so neg-
lected to be assessed, assigned, or paid
over, to be recovered by action of
debt, in the name and for the use of
the district by the school board.

Penalty for il-
legal use or
neglect to use
on part of
school board.

If the money so assigned and paid P. S. 88:7.
over to the school board of any dis-
trict is not expended by them accord-
ing to law, they shall be fined not ex-
ceeding twice the sum so unexpended,
or not legally expended, for the use
of the district.

[The school money must not only be legally
expended, but it must be *all* legally expended
in the maintenance of schools during the
school year for which it was appropriated.
School money cannot lawfully be laid up.]

The district
may raise
money addi-
tional to that
required by
law.

Any district may raise money for P. S. 88:8, as
the support of schools in addition to amended by
the sum required by law, which shall 52, laws 1909.
be assessed, collected and paid over
to the district as other school taxes;
and all money for the support of pub-
lic schools, except that provided by
section 1 of this chapter, and all
moneys for the building, repair or al-
teration of schoolhouses, for the im-

provement of school grounds, and for any other purpose connected with the administration, support, equipment and improvement of the public schools, excepting purposes already provided for by statute, shall be raised only in a lawful meeting of the district.

Selectmen
shall assess.

The selectmen shall annually assess upon the polls and ratable estate of the district a sum equal to the amounts determined by the district as prescribed in section 1, and shall pay over the same to the district treasurer. 22:2, laws
1909.

Dog tax.

All moneys arising from the taxation and licensing of dogs, remaining in the treasury of any town or city on the first day of April, annually, which is not due to holders of orders given for loss of or damages to domestic animals by dogs, shall be applied to the support of the public schools, and shall be assigned to the districts as other school money. P. S. 88:14.

School
wagons.

Any school district may raise money for the purchase of suitable vehicles for the transportation of school children. 46, laws
1911.

District
taxes.

In the assessment of school-district taxes, every person shall be taxed in the district in which he lives for his poll and his personal estate subject to taxation in town. Real estate shall be taxed in the district in which it is situated. P. S. 89:6.

The selectmen may make a new in-P. S. 89:7. voice of all the property in the district when necessary for the just assessment of such taxes.

If such taxes are assessed after the P. S. 89:8. first day of July in any year upon the property of nonresidents, the collector shall send to the owners of said property, or to their agents, if known, a bill of their taxes within two months after the delivery of the list to him, and shall, at the expiration of four months after such delivery, advertise and sell the property on which the taxes have not been paid in the same manner as if such taxes had been assessed in April preeeding.

II.

SCHOOL MONEY—STATE.

Literary fund. All taxes collected by the state P. S. 88:9. upon the deposits, stock, and attending accumulations of depositors and stockholders of savings banks, trust companies, loan and trust companies, loan and banking companies, building and loan associations, and other similar corporations, who do not reside in this state, or whose residence is unknown, shall be known as the "literary fund."

Literary fund, distribution of. The state treasurer shall assign and P. S. 88:10.
 distribute, in November of each year,
 the literary fund among the towns
 and places in proportion to the num-
 ber of scholars not less than five
 years of age who shall, by the last
 reports of the school boards returned
 to the superintendent of public in-
 struction, appear to have attended the
 public schools in such towns and
 places not less than two weeks within
 that year.

No unincorporated place shall re-P. S. 88:11.
 ceive its portion until a treasurer or
 school agent shall have been chosen
 to receive and appropriate the same
 as required by law.

Literary fund —may be used for what. The portion of the literary fund so P. S. 88:12.
 received by any town or place shall
 be assigned to the districts as other
 school money, and shall be applied to
 the maintenance of the public schools
 during the current year; one fifth part
 thereof may be applied by the school
 board to the purchase of blackboards,
 dictionaries, maps, charts, and school
 apparatus.

Literary fund —penalty for misuse of. If any town or incorporated place P. S. 88:13.
 or the agent of any unincorporated
 place shall apply any money so re-
 ceived to any other purpose, the town,
 place, or agent so offending shall re-
 fund to the state treasury double the
 sum so misapplied.

State aid—
towns to
receive.

No appropriation of money provided for in sections 2 to 3 inclusive of this act shall be held to apply to towns having an equalized valuation of more than \$9,500 per pupil of average attendance for the year preceding; or whose population by the last published federal census is more than 3,500; or whose schools have been maintained less than an average of thirty weeks for the school year next preceding; or whose tax rate for school purposes is less than \$3.40 on one thousand dollars of equalized valuation. 158:1, laws 1909, as amended by 182, laws 1913. (This amendment took effect Jan. 1, 1914.)

State aid—
average at-
tendance
basis.

There shall annually in the month of December be apportioned to all towns not excluded by the terms of section 1 and as hereafter provided state money as follows: 158:2, laws 1909, as amended by 182, laws 1913.

I. To all towns having an equalized valuation per pupil of average attendance of less than \$3,500, the sum of \$1.75 per school week for every twenty-five pupils or major part thereof of average attendance for the year next preceding.

II. To all towns having an equalized valuation per pupil of \$3,500, or more and less than \$4,500, \$1.50.

III. To all towns having an equalized valuation per pupil of \$4,500, or more and less than \$5,500, \$1.25.

IV. To all towns having an equalized valuation per pupil of \$5,500 or more and less than \$7,000, \$1.00.

V. To all towns having an equalized valuation of \$7,000 or more and less than \$9,500, per pupil, \$0.75.

State aid—
qualified
teacher basis. When any district shall employ 158:3, laws
1909.
graduates of a New Hampshire Normal school, or of any Normal school in another state of equivalent grade, or persons holding a permanent New Hampshire state teacher's certificate, it shall receive a further sum of \$2.00 per week for every teacher so employed.

State aid—
district supervision and
high school tuition. There shall annually be reserved 158:4, laws
1909.
and set aside from the appropriation provided for by this act such sums as shall be needed for carrying out the provisions of chapter 77, Session Laws of 1899, relating to district supervision, and of chapter 96, Session Laws of 1901, relating to high school tuition.

State aid—
appropriation
for. The sums of \$120,000 for the year 158:5, laws
1909, as
amended by
230 and 231
laws 1917.
1917-18 and \$120,000 for the year 1918-19 are hereby appropriated to carry into effect the provisions of this act, and any portion of such appropriation as shall remain unexpended in any year shall remain in the state treasury for use in subsequent years, and if in any year the above appropriation and accumulated surplus shall prove insufficient, then towns having the highest equalized valuation per pupil shall be omitted in

order from the distribution provided for in sections 2 and 3.

The sum appropriated by section 5 ^{158:6, laws 1909.} shall be in place of the annual appropriations of \$25,000 and \$8,000 provided by chapter 77, Laws of 1899, and chapter 96, Laws of 1901, and amendments thereto, respectively, and such appropriations shall be discontinued upon the passage of this act.

All money appropriated by this act ^{158:7, laws 1909.} shall be expended under the supervision of the governor and council.

Penalty for
not making
returns.
Minimum
school year.

No town shall receive any benefit ^{77:7, laws 1899.} under this act nor any portion of the literary fund unless its returns have been made to the superintendent of public instruction, as required by chapter 92, section 13, of the Public Statutes, nor unless its schools have been maintained at least twenty weeks during the school year next preceding.

High school
tuition rebate.
See also un-
der High
Schools.

[Such sum as may be needed] shall ^{96:3, laws 1901, as amended by 158:4, laws 1909.} be appropriated annually from the state treasury for the payment of tuition in high schools and academies, to be paid by the state treasurer in the month of December of each year to the treasurers of such towns as are entitled, and in such manner as is hereinafter provided, upon a sworn certificate of the superintendent of public instruction of the sums due.

Towns whose rate of taxation for school purposes in any year is \$3.50 or more on \$1,000, and whose average rate of taxation for all purposes for five years next preceding is \$16.50 or more on \$1,000, shall receive a share of said appropriation as follows:

If the tax rate is from \$16.50 to \$17.49, one-tenth of the tuition paid.

If the tax rate is from \$17.50 to \$18.49, two-tenths of the tuition paid.

If the tax rate is from \$18.50 to \$19.49, three tenths of the tuition paid.

If the tax rate is from \$19.50 to \$20.49, four-tenths of the tuition paid.

If the tax rate is from \$20.50 to \$21.49, five-tenths of the tuition paid.

If the tax rate is from \$21.50 to \$22.49, six-tenths of the tuition paid.

If the tax rate is from \$22.50 to \$23.49, seven-tenths of the tuition paid.

If the tax rate is from \$23.50 to \$24.49, eight-tenths of the tuition paid.

If the tax rate is from \$24.50 to \$25.49, nine-tenths of the tuition paid.

Over \$25.49, the whole of such tuition.

III.

SCHOOL LOANS AND BONDS.

Districts may hire money—
for what—
how. School districts may hire money for P. S. 89:4, as amended by 138, laws building or repairing schoolhouses, and procuring and grading lots for 1909.

the same upon the promissory notes or bonds of the district. If the money is so hired upon the note or notes of the district, said note or notes shall be signed by the district treasurer and by the school board, and if upon the bonds of the district, said bonds shall be issued under and by virtue of, in conformity with, and subject to limitations of chapter 43, Laws of 1895, entitled "The Municipal Bond Act."

Any city, town, precinct, school or village district may exempt from taxation any future issue of its bonds, ^{55, laws 1907, as amended by chapter 51, laws 1913.} *provided* such exemption shall apply only to bonds owned and held by citizens of said city, town, precinct, school or village district.

Districts may raise money other than regular school money for what. School districts may raise money to P. S. 89:3, as amended by 55, laws 1913, and chapter 72 laws 1915. procure land for schoolhouse lots, and for the enlargement of existing lots; to build, purchase, rent, repair, or re-move schoolhouses and outbuildings, and buildings to be used for occupancy by the teachers in the employ of such school district; to procure insurance; to plant and care for shade and ornamental trees upon schoolhouse lots; to provide suitable furniture, books, maps, charts, apparatus, and conveniences for schools, and to pay debts. School districts may at any legal meeting holden therein, by a majority of the legal voters pres-

ent and voting at the meeting, authorize its school board to hire money for any of the purposes above mentioned of individuals living in the town in which such school district is located at a rate of interest not exceeding five per cent per annum, and provide that all moneys thus loaned shall be exempt from taxation.

IV.

SCHOOL DISTRICTS.

Definition of term "district."

Each town shall constitute a single district for school purposes, *provided*, P. S. 89:1, as amended by 23, laws 1909. *however*, that districts organized under special acts of the legislature may retain their present organization, and the word "town" wherever used in the statutes in connection with the government, administration, support, or improvement of the public schools shall be held to mean district.

Districts to be corporations.

All districts legally organized shall be corporations, with power to sue and be sued, to hold and dispose of real and personal property for the use of the schools therein, and to make necessary contracts in relation thereto. P. S. 89:2, as amended by 23, laws 1909.

Admission of scholars from other districts.

Each district may determine upon what terms scholars from other districts or towns may be admitted into its schools. If the district neglects

to make such determination, the school board may do it.

Districts
situate in two
or more
towns.

Every district situate in two or more towns shall be entitled to its just proportion of school taxes, income of school funds, literary fund, and dog tax in each town, according to the valuation of polls and property taxable therein. P. S. 89:13.

Dissolution of
special dis-
trict.

Any school district organized under a special act of the legislature may, by a majority vote of the qualified voters present and voting at a legal meeting, dissolve its corporate existence and unite with the town district. P. S. 89:14.

In such case the town district so formed shall forthwith take possession of the schoolhouses, lands, apparatus, and other property owned and used for school purposes by the district so dissolved which the district might lawfully sell or convey. P. S. 89:15.

The property so taken, and also like property of the district to which the special district is united, shall be appraised by the selectmen of the town, and at the next annual assessment a tax shall be levied upon the whole town district equal to the amount of the whole appraisal; and there shall be remitted to the taxpayers of each district the appraised value of its property. P. S. 89:16.

If a district so dissolved is formed of parts of two or more towns, an P. S. 89:17.

equitable apportionment of its assets and liabilities between such parts shall be made by the selectmen of the towns in which they are situate, acting as a joint board, within sixty days after the dissolution.

If such joint board fail to make an P. S. 89:18. apportionment within the time limited therefor, any taxpayer within the district may apply by petition to a judge of the supreme court for the appointment of a referee to make the apportionment.

The judge shall appoint a time and P. S. 89:19. place of hearing upon the petition, and order notice thereof to be given to all parties interested, and after hearing them he shall appoint a referee.

The notice shall be served by post-P. S. 89:20. ing copies of the petition and order thereon in at least two public places in each of said parts, and by giving to the clerk of the dissolved district, and the clerk of each town district in which any part thereof is located, like copies ten days at least before the day of hearing.

The referee shall cause notice of his P. S. 89:21. hearing to be given to all parties interested, in the same manner as is provided in the preceding section. He shall hear the parties, make his report in writing, and file a copy thereof with the clerk of the dissolved district

and the clerk of each town interested ;
and the report, so made and filed, shall
be final.

Upon receiving a copy of the ap-P. S. 89:22.
portionment, the selectmen shall as-
sess upon that part of the district
within their town the amount for
which it is charged, and cause the
same to be collected and paid to the
town district in which the creditor
part of the dissolved district is sit-
uated.

The town district shall take the P. S. 89:23.
property and assets of that part of
the dissolved district which is situate
in such town district, and the select-
men of the town shall assess and remit
taxes with reference to the property
so taken, and like property of the town
district, the same as in other cases.

The corporate powers of a district P. S. 89:24.
shall continue for the purpose of set-
tling up its affairs and of holding,
managing, and enjoying any property
held by it in trust, notwithstanding its
dissolution, but the school board of
the district of which it forms a part
shall be its agents to expend the in-
come of any such trust property that
is devoted to the support of schools.

The school board shall first give to P. S. 89:25.
such district or districts such term or
character of schooling as would be
just and reasonable if no such fund
were in existence, and only use the

income to lengthen the school or schools, or to carry out the purposes of the trust under which the funds are held.

Any justice of the peace may, upon P. S. 89:26. application of three or more voters, resident within the limits of the dissolved district, call a meeting thereof in the same manner as other school district meetings are called, at which a moderator, clerk, and agents may be chosen, and any other business transacted for the purposes mentioned in section 24 of this chapter.

The records of dissolved school dis-P. S. 89:27. tricts whose corporate existence is not continued for any purpose shall be returned by the clerks of such districts to the town clerk's office for preservation with the public records of the town.

Maintenance
of high
schools in dis-
solved special
districts.

Whenever any school district or-64:1, laws
ganized under a special act of the leg-1891.
islature shall vote to abolish such dis-
trict and to unite with the town dis-
trict, if said town district shall vote
to receive said special district, if said
special district has for the five years
next preceding such vote maintained
a high school, it shall be incumbent
on the town district with which it
unites to thereafter keep and maintain
within the limits of said special dis-
trict a high school for at least thirty-
four weeks in each year, and of equal

grade to that which had been previously maintained therein by such special district, said high school to be open to all scholars in the town district, of suitable age and qualifications.

It shall be the duty of said town district to raise and appropriate each year thereafter sufficient money in addition to the school money which the town in which it is situated may raise, to properly maintain such high school, or schools, as may be established under the preceding section.

Annexation of territory situate in one district to another district for school purposes. Any person interested in severing part of any town therefrom and annexing it to another town, or school district therein, for school purposes, may apply therefor by petition to the selectmen of the town from which it is proposed to sever such territory, and to the selectmen of the town to which it is proposed to annex the same.

It shall be the duty of said selectmen, upon notice to such petitioners and to the school boards of the respective towns and school districts interested in the proposed transfer, to hear the parties, and determine whether the reasonable accommodation of such petitioners or others requires such transfer, and to make return of their findings to the clerks of their respective towns in writing within thirty days.

If a majority of each of said boards of selectmen report in favor of such transfer, they shall sign a certificate of that fact, describing such territory, and stating that it is annexed to such adjoining town, or district therein for school purposes, which certificate shall be recorded by the town clerk of each town. 72:3, laws 1893.

Any territory now or hereafter annexed for school purposes to an adjoining town or school district therein, may, upon proceedings such as have been prescribed in the foregoing sections of this act, be restored to the town or district from which it has been severed. 72:4, laws 1893.

The annexation of territory under this act shall have the same force and validity as if made by a special act of the legislature. 72:5, laws 1893.

The selectmen and collector of any town to which part of any other town is now or may hereafter be annexed for school purposes shall have the same powers and duties in respect to such annexed territory, of furnishing blank inventories and of assessing and collecting taxes for school purposes, and the inhabitants and owners thereof shall for such purposes be subject to the same liabilities as if such territory were in the town to which it is or may be annexed. 72:6, laws 1893.

Section 6 of chapter 72 of the Ses-

sion Laws of 1893 shall not apply to special districts, but only to town districts, and all special taxes voted by said districts shall be assessed and collected in the same manner as they were assessed and collected prior to the enactment of said chapter 72. 72:6, laws 1893, as amended by 26, laws 1897.

The selectmen of any town, and the school board of any high school or other special district in the same town, may, upon petition of persons interested, after notice to the school board of the town school district of such town, and after hearing the parties, unite parts of either district to the other, a majority of the board of selectmen and majority of the school board of such special district, and a majority of the school board of the town school district concurring therein, and their decision in writing being recorded on the town records. 72:7, laws 1893, as amended by 75, laws 1895.

District
high school.

Any school district may, by vote or by-law, establish and maintain a high school in which the higher English branches of education and the Latin, Greek, and modern languages may be taught. P. S. 89:9.

Joint schools
of two or
more districts.

Two or more adjoining districts in the same or different towns may make contracts with each other for establishing and maintaining jointly a high or other public school for the benefit of their scholars, and may raise and appropriate money to carry the con- P. S. 89:10.

tracts into effect; and their school boards, acting jointly or otherwise, shall have such authority and perform such duties in relation to schools so maintained as may be provided for in the contracts.

Evening
schools.

Upon petition of five per cent of the 112:1, 1901.
legal voters of any city or town having more than five thousand inhabitants, according to the latest United States census, said city or town shall establish and maintain, in addition to the schools required by the law to be maintained therein, evening schools for the instruction of persons over fourteen years of age in such branches of learning and art as the school board shall deem expedient.

The school board of such cities and 112:2, 1901.
towns shall have the same superintendence over such evening schools as they have over other schools, and may determine the term or terms of time in each year and the hours of the evening during which such schools shall be kept, and may make such regulations as to attendance at such schools as they may deem expedient.

Nothing contained in this act shall 112:3, 1901.
exempt any person from the requirements of chapter 93 of the Public Statutes.

Playgrounds.

Towns may at any legal meeting 146:1, 1911.
grant and vote such sums of money as they shall judge necessary to estab-

lish, equip and maintain suitable places for public playgrounds, in accordance with the provisions of section 4, chapter 40, of the Public Statutes.

Any city or town of this state may ^{86:1, 1917.} take land within the municipal limits in fee by gift, purchase or right of eminent domain, or may lease the same; and may prepare, equip, and maintain it, or any other land belonging to the municipality and suitable for the purpose, as a public playground; and may conduct and promote thereon play and recreation activities; may equip and operate neighborhood center buildings, may operate public baths and swimming pools; and may employ such play leaders, playground instructors, supervisors, recreation secretary, or superintendent and other officials as it deems best.

Any city or town of this state may ^{86:2, 1917.} provide annually out of the tax levy that the board given charge of recreation shall receive, without special appropriation, a specific number of cents on each one hundred (100) dollars of assessed valuation.

The above powers may be exercised ^{86:3, 1917.} by a recreation commission, by the school board, or by the park board, or may be divided between such recreation commission, school board and park board, or any of them, according

as the city council or the town may decide.

Any city or town of this state may 86:4, 1917. expend in carrying out the purpose of this act such sums as may be duly appropriated for the purpose.

If any city or town in the state shall decide that the above powers shall be exercised by a recreation commission, the mayor, chairman, or other officer having the power of appointment, shall appoint five persons who are citizens and residents of such municipality, who shall serve without pay. The two persons first appointed shall serve for three years; the two persons next appointed for two years; the fifth person appointed for one year. Their successors shall be appointed for three years. Vacancies as they occur shall be filled by the mayor, chairman or other officer having the power of appointment, for the unexpired term only. The members of the recreation commis- 86:5, 1917. sion shall from their own number elect a chairman, secretary, and other necessary officers to serve for one year, or until their successors are elected. The recreation commission shall have power to adopt rules of procedure and prescribe regulations for the conduct of all business within its jurisdiction.

If in any city or town of this state 86:6, 1917. the school board be given charge of

public playgrounds and recreation centers under this act, such school board is authorized to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the school board, and on such other grounds and in such other buildings as may with its approval be assigned to it.

If some other board than the school 86:7, 1917.
board have charge of public playgrounds and recreation centers in any city or town of this state, under the provisions of this act, such board shall have the power to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the school board, and pay the necessary expense incident to such recreation activities; *provided* that nothing in this act shall be construed to abridge the power of the school board to veto the use of any of its grounds or buildings for recreation purposes, when such use interferes with the use of grounds or buildings for educational purposes.

If in any city or town of this state 86:8, 1917.
the park board be given charge of public playgrounds and recreation centers under provisions of this act, such park board is authorized to carry on playgrounds in charge of the park board, and on such other grounds and in such other buildings

as may with its approval be assigned 86:9, 1917. to it.

If some other board than the park board have charge of the public playgrounds and recreation centers in any city or town of this state, under the provisions of this act, such board shall have the power to carry on playgrounds and recreation activities on the grounds and in the buildings in charge of the park board, and pay the necessary expense incident to such recreation activities; *provided* that nothing in this act shall be construed to abridge the right of the park board to veto the use of any of its grounds or buildings for recreation purposes, when such use for recreation purposes shall interfere with use of the grounds or buildings for park purposes.

Summary of Chief Powers of District.

1. May raise money for general school purposes in addition to that required by law.
2. May raise money for buildings and lots.
3. May hire money for schoolhouse construction.
4. May establish high school.
5. May contract with other districts for maintenance of joint schools.

6. May contract with literary institution for furnishing tuition.
7. May determine on what terms pupils from other districts may be admitted to its schools.
8. May locate schoolhouses, fix salaries of school board and truant officers.
9. May raise money to purchase wagons.

Some Things a District May Not Do.

1. Transcend any statutory requirement.
2. Fix length of school year.
3. Fix salaries of teachers.
4. Establish and locate or discontinue common schools.

V.

MEETINGS AND OFFICERS AND QUALIFIED
VOTERS OF SCHOOL DISTRICTS.

Time of
annual
meeting.

A meeting of every school district P. S. 90:1. shall be holden annually between the first day of March and the twentieth day of April, inclusive, for the choice of district officers and the transaction of other district business.

Special
meeting.

A special meeting of a school district shall be holden whenever, in the opinion of the school board, there is occasion therefor, or whenever ten or more voters, or one-sixth of the voters of the district, shall have made

written application to the school board therefor, setting forth the subject-matter upon which action is desired.

No village district or precinct,^{121, laws 1907.} school district, highway district, fire district or other like subdivision of a town, shall raise or appropriate money at any special meeting of the inhabitants thereof, except by vote by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one-half of the number of legal voters of such district at the regular meeting next preceding such special meeting; and if a checklist was used at the last preceding regular meeting, the same shall be used to ascertain the number of legal voters in said district; and such checklist, corrected according to law, may be used at such special meeting upon request of ten legal voters of the district.

Place of
meeting.

School district meetings may be P. S. 90:3. held at the usual place where town meetings of the town are held, or at such other suitable place as in the opinion of the officers calling the meeting will best accommodate the voters.

Warrant for
meeting.

They shall be warned by the school P. S. 90:4. board, or, in cases authorized by law, by a justice of the peace, by a warrant addressed to the inhabitants of

the district qualified to vote in district affairs, stating the time and place of the meeting and the subject-matter of the business to be acted upon.

The officers issuing a warrant for a P. S. 90:5. district meeting shall insert therein any subject-matter for which application has been made to them in writing by ten or more voters, or by one-sixth of the voters of the district.

The school board or justice issuing P. S. 90:6. a warrant shall cause an attested copy of it to be posted at the place of meeting, and a like copy at one other public place in the district, fourteen days before the day of meeting.

If the school board does not cause P. S. 90:7. a warrant for the annual meeting to be posted on or before the second Tuesday of March, in any year, or for a special meeting within ten days after application therefor is made to them, a justice of the peace, upon application of ten or more voters, or of one-sixth of the voters of the district, may issue such warrant and cause it to be posted.

The warrant, with a certificate P. S. 90:8. thereon, verified by oath, stating the time and places when and where copies of it were posted, shall be given to the clerk of the district at or before the time of the meeting, and shall be recorded by him in the records of the district.

Qualification
for voting.

Any person, whether male or female, but in all other respects except sex qualified to vote in town affairs, may vote at school district meetings in the district in which such person has resided and had home three months next preceding the meeting. P. S. 90:9.

Checklist at
school meet-
ings.

Upon petition of ten legal voters of any district, presented in January, or if the district at its annual meeting shall have voted that a checklist be used at future meetings, the school board shall make, post, and correct a list of the legal voters in the district, as supervisors are required to do in regard to the list of voters in their towns; and such list shall be used and checked, at the election of officers and otherwise, at the annual meeting of the district, as in case of town meetings. P. S. 90:10.

[Section 10 was amended by chapter 97, laws 1895, as follows:

That section 10 of chapter 90 of the Public Statutes shall not be applicable to any special school district in this state, unless a petition for a checklist shall be signed by five per cent of the legal voters of the district.]

Penalty for
illegal voting.

If any person under the age of twenty-one years, or any alien not naturalized, or any person who has not resided and had his home in the P. S. 90:11.

district for three months and in the town for six months preceding, shall vote in any district meeting, or if any person shall give in more than one vote for any officer voted for at the meeting, or if any person, being under examination before the school board as to his qualifications as a voter, shall give any false name or answer, he shall be fined not exceeding thirty dollars, or be imprisoned not exceeding three months.

Officers.

The officers of every school district P. S. 90:12. for which the law does not otherwise provide shall be a moderator, a clerk, a school board of three persons, a treasurer, and one or more auditors, and such other officers and agents as the voters may judge necessary for managing the district affairs.

While any district maintains a high school or unites with another district in maintaining one, it may have a school board consisting of three, six or nine members, as it shall determine by vote or by-law. Whenever it ceases to maintain or to unite in maintaining a high school, it shall thereafter elect only one member to the school board each year to fill vacancies occurring from expiration of term of service, so that the board will decrease in numbers, year by year, until it shall be composed of only three members.

- Eligibility to office. No person shall be eligible to any school-district office unless he is a voter in the district. No person holding office as a member of a school board shall at the same time act as district treasurer or auditor, nor shall any member of a school board be employed as a teacher in his district. P. S. 90:14. 20, laws 1909.
- Manner of election. The moderator shall be chosen by ballot, by a plurality vote; the clerk, school board, and treasurer shall be chosen by ballot, by a majority vote. The moderator, clerk, and school board shall be sworn. P. S. 90:15, as amended by 69, laws 1897.
- Term of officers. One third of the members of the school board shall be chosen each year to hold office for three years, and until their successors are chosen and qualified, and vacancies in the board shall be filled so as to preserve such succession in office. All other officers shall be chosen annually, and shall hold office for one year, and until their successors are chosen and qualified. P. S. 90:16.
- Moderator. The moderator shall have the like power and duty as a moderator of a town meeting to conduct the business and to preserve order, and may administer oaths to district officers and in the district business. In case of a vacancy or absence, a moderator *pro tempore* may be chosen. P. S. 90:17.
- Clerk. The clerk shall keep a true record of all the doings of each meeting; shall deliver to the selectmen of the P. S. 90:18.

town an attested copy of every vote to raise money within ten days after the meeting; shall make an attested copy of any record of the district for any person upon request and tender of legal fees therefor; shall act as moderator of any meeting until a moderator *pro tempore* shall be chosen, if the moderator is absent or the office has become vacant; and shall have the same power to administer oaths which the moderator has. If the clerk is absent at any meeting, a clerk *pro tempore* shall be chosen.

The Clerk. The clerk of every school district P. S. 90:19. shall, forthwith, after the election from time to time of members of the school board, report in writing their names and postoffice addresses to the town clerk of the town; and if he fails to do so, he shall be fined twenty dollars, one-half for the use of the complainant and the other half for the use of the town.

Treasurer. The treasurer shall, before entering P. S. 90:20. upon the duties of his office, give a bond with sufficient sureties to the district, to the acceptance of the school board, for the faithful performance of his official duties.

The treasurer shall have the custody of all moneys belonging to the district, and shall pay out the same only upon orders of the school board. P. S. 90:21.

He shall keep a fair and correct account of all sums received into and paid from the district treasury. At the close of each fiscal year he shall make a report to the district, giving a particular account of all receipts and payments during the year. He shall furnish to the school board statements from his books, and submit his books and vouchers to them and to the district auditors for examination, whenever so requested.

Auditors.

The auditors shall carefully examine the accounts of the treasurer and school board at the close of each fiscal year, and at other times whenever necessary, and report to the district whether the same are correctly cast and well vouched. P. S. 90:22.

Filling of
vacancies.

The school board shall fill vacancies occurring on the board, and in other district offices, except that of moderator, until the next annual meeting of the district. In case of vacancy of the entire membership of the board, or the remaining members are unable to agree upon an appointment, the selectmen, upon application of one or more voters in the district, shall fill the vacancies so existing until the next annual meeting of the district. P. S. 90:23.

At its annual meeting each school district shall determine and appoint the salaries of its school board and truant officer or officers, and the dis-

trict clerk shall certify the same to the selectmen.

Compensation of school board.

The selectmen shall annually assess²², laws 1909. upon the polls and ratable estate of the district a sum equal to amounts determined by the district as prescribed in section 1 and shall pay over the same to the district treasurer.

The district treasurer shall pay to the school board the salaries aforesaid and he shall likewise pay the truant officer upon the order of the school board, they certifying that he has performed the duties required of him by law.

[Salaries of school boards cannot legally be paid out of school money.]

Town clerks must notify superintendent of public instruction names of local school board.

Every town clerk, within thirty P. S. 43:3. days after the annual meeting, shall report to state officers the names and postoffice addresses of town officers as follows: . . . to the state superintendent of public instruction, those of the local school board. . . . Any town clerk who neglects to make reports as required by this section shall be subject to pay a fine of twenty dollars for each failure, one-half for the use of the department to which he fails to report, and the other half for the use of the town.

VI.

SCHOOL BOARDS, TEACHERS AND TRUANT
OFFICERS—POWERS AND DUTIES.Provision of
schools.

The school board of every district P. S. 92:1. shall provide schools at such places within the district and at such times in each year as will best subserve the interests of education, and will give to all scholars of the district as nearly equal advantages as may be practicable. They may use a portion of the school money, not exceeding twenty-five per cent, for the purpose of conveying scholars to and from the schools.

Conveyance of
scholars.

[The district is empowered to raise money to buy wagons.]

Hiring of
teachers.

The school board shall select and hire suitable and competent teachers, P. S. 92:2, as amended by 50, laws 1895, and shall provide necessary fuel, and shall make such occasional repairs of the schoolhouses and furniture as may be necessary, not exceeding in cost five per cent of the school money. 1895, and by 136. laws 1911.

Repairs.

Dismissal of
teachers.

They may dismiss any teacher found by them to be immoral or incompetent or who shall not conform to regulations prescribed; *provided, however,* that no teacher shall be so dismissed before the expiration of the period for which said teacher was engaged without having previously been notified of the cause of such dis- P. S. 92:3, as amended by 59, laws 1905.

Teacher's
right to
hearing.

missal, and provided further that no teacher shall be so dismissed without having previously been granted a full and fair hearing.

The district shall be liable in the action of contract to any teacher dismissed in violation of the provisions of the preceding section to the extent of the full salary for the period for which such teacher was engaged.

P. S. 92:4, as
amended by
59, laws 1905.

Power of
board to pre-
scribe regu-
lations.

The school board may prescribe regulations for the attendance upon, and for the management, studies, classification, and discipline of the schools; and such regulations, when recorded by the district clerk, and a copy thereof has been given to the teachers and read in the schools, shall be binding upon scholars and teachers.

Studies to be
prescribed.

They shall prescribe in all mixed schools and in all graded schools above primary, the studies of physiology and hygiene, having special reference to the effects of alcoholic stimulants and narcotics upon the human system, and shall see that the studies so prescribed are thoroughly taught in said schools and that well approved text-books upon these subjects are furnished to teachers and scholars, and shall see that a well prescribed reading course dealing with the principle of the humane treatment of the lower animals shall be included in the ordinary instruction in reading or

P. S. 92:6, as
amended by
40, laws
1895; 31,
laws 1903;
49, laws
1909, and
136, laws
1911.

otherwise, and that the constitution of the United States and of the state of New Hampshire be read aloud by the scholars at least once during the last year of the course below the high school, and may permit or prescribe the study of algebra, geometry, surveying, bookkeeping, philosophy, chemistry, and natural history, or any of them, and other suitable studies.

If any member of the school board shall neglect or refuse to comply with the provisions of section 6, he shall forfeit the sum of two hundred dollars.

Free text-
books.

They shall purchase, at the expense of the city or town in which the district is situated, text-books and other supplies required for use in the public schools; and shall loan the same to the pupils of such schools free of charge, subject to such regulations for their care and custody as the school board may prescribe. They shall make provision for the sale of such books at cost to pupils of the school wishing to purchase them for their own use.

P. S. 92:7, as
amended by
laws 1895.

[Textbooks and supplies cannot legally be paid for out of school money. They are statutory requirements and the selectmen must assess enough, in addition to money required by law and otherwise voted by the district, to cover the requirements of the scholars. It is the duty of the school board to purchase text-books and supplies, approve the bills and send the same to the district treasurer to be paid out of the money assessed by the selectmen for that purpose. If no money has been assessed, the district is liable to a suit at law by the party selling the books or supplies.]

They shall purchase and display U. S. flag.

They shall purchase at the expense P. S. 92:8, as amended by 50, laws 1895, and 39, laws 1903. of the city or town in which the district is situated, a United States flag of bunting not less than five feet in length with a flagstaff and appliances for displaying the same, for every schoolhouse in the district in which a public school is taught not otherwise supplied. They shall prescribe rules and regulations for the proper custody, care and display of the flag; and whenever not otherwise displayed, it shall be placed conspicuously in the principal room of the schoolhouse. Any members of a school board who shall refuse or neglect to comply with the provisions of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense.

Not more than ten dollars shall be expended for the flag, flagstaff, and appliances for any one schoolhouse, and the school board shall have the same control over its preservation and display that it has over the other district property.

[See remarks on text-books and supplies. The same ruling applies.]

Further instruction in rural schools.

It shall be the duty of school boards in districts in which there is no high school to provide for the further instruction of pupils for a period not exceeding two school years for those who have completed the course 24:1, 1917. of study prescribed for the elementary schools whenever such pupils or

their parents or guardians desire such instruction; *provided, however,* that nothing in this act shall be so construed as to prevent children whose parents or guardians reside in such districts from enjoying all the privileges of attendance at high schools or academies in other districts as provided by chapter 96 of the session Laws of 1901 and amendments thereto.

Nothing in this act shall be so construed as to vitiate the power of a school board to dismiss a pupil from school for gross misconduct, or for neglect or refusal to conform to the rules of the school.

All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Certain books shall not be used.

No book shall be introduced into the public schools calculated to favor any particular religious sect or political party.

P. S. 92:9, as amended by 50. laws 1895.

Registers to be furnished.

They shall furnish to every teacher one of the blank registers provided by the superintendent of public instruction, and shall visit and examine each school in their district at least twice in each term, once near the beginning and once near the close thereof.

P. S. 92:10.

Examination and certification of teachers by superintendent of public instruction.

The superintendent of public instruction shall cause to be held, at such convenient times and places as he may from time to time designate,

49:1, laws 1895.

public examinations of candidates for the position of teacher in the public schools of the state. Such examinations shall test the professional as well as the scholastic abilities of candidates, and shall be conducted by such persons and in such manner as the superintendent of public instruction may from time to time designate. Due notice of the time, place, and other conditions of the examinations shall be given in such public manner as the superintendent of public instruction may determine.

[NOTE—The superintendent of public instruction is charged with various other duties and powers, which are referred to in the proper connection, as for instance approval of high schools and academies and enforcement of child labor laws.]

A certificate of qualifications shall be given to all candidates who pass satisfactory examinations in such branches as are required by law to be taught, and who in other respects fulfill the requirements of the superintendent; such certificate shall be either probationary, or permanent, and shall indicate the grade of school for which the person named in the certificate is qualified to teach.

The superintendent of public instruction may issue, without the requirement of examination provided herein, a certificate of qualifications to any person who has served as a

49:2, laws
1895.

Laws of 1911.

teacher in the public schools of the state for a term of three school years when, in his judgment, the educational interests of the state will be served by such action.

A list of approved candidates shall be kept in the office of the department of public instruction and copies of the same, with such information as may be desired, shall be sent to school committees upon their request.

49:3, laws
1895.

A sum not exceeding three hundred dollars may be annually expended from the income of institute fund for the necessary and contingent expenses of carrying out the provisions of this act.

49:5, laws
1895.

Superintendent of public instruction to have same powers as truant officers.

The state superintendent of public instruction shall have authority to enforce the laws relating to attendance at school and the employment of minors, and, for this purpose, he and any deputy appointed by him shall be vested with the powers given by law to truant officers when authorized by school boards to enforce the laws relating to attendance at school and the employment of children. And the expenses necessarily incurred by the state superintendent in such enforcement shall be paid as audited and allowed by the governor and council.

P. S. 93:15,
as amended by
61, Laws
1901.

Teachers shall keep registers.

Every teacher shall make the entries in the register required by the

P. S. 92:11.

superintendent of public instruction, and at the close of the term shall return the register to the school board. Twenty dollars of the wages of every teacher shall be withheld until he has made such return.

The fiscal year of town and special school districts beginning February 16, 1917, shall end August 31, 1918, and thereafter the fiscal and the scholastic year shall end August 31, annually. ^{122:1, 1917.}

At its annual meeting holden in accordance with the provisions of section 1, chapter 90, of the Public Statutes, such school districts shall raise and appropriate money for the support of schools to be expended during the fiscal year beginning September 1, next succeeding. ^{122:2, 1917.}

The selectmen shall pay over to the district treasurer, annually, on or before October 1, and monthly thereafter, such sums as the school board shall require for the maintenance of the schools. ^{122:3, 1917.}

Reports to be made to superintendent of public instruction. School boards shall on or before the P. S. 92:13, as amended by 50, laws 1895, 5, laws 1903, and 122, 1917. fifteenth day of September in each year, send to the superintendent of public instruction copies of their annual reports and answers to the questions proposed by him, relating to the schools in their district; the school year shall begin with the fall term.

Penalty for refusal or neglect.

Any member of a school board who P. S. 92:14. shall neglect or refuse to comply with the provisions of the preceding section shall be fined not exceeding fifty dollars.

Penalty for neglect of duty.

If any public officer wilfully neg-P. S. 255:14. lects any duty of his office, and no penalty is prescribed by statute for such neglect, he shall forfeit a sum not exceeding thirty dollars.

Medical inspection article in warrant.

The school board of every city, 114:1, 1917. union, special or town school district, shall hereafter cause to be inserted in the warrant for the annual meeting of said district an article relating to the adoption of the provisions of chapter 83 of the Laws of 1913, providing for the medical inspection of schools, unless said district has already adopted the provisions of said chapter.

Boards to appoint truant officers.

School boards shall appoint truant P. S. 92:15, officers for their districts. as amended by 70, laws 1899.

Truant officers shall hold office for P. S. 92:16. one year, and until their successors shall be appointed, but they may be removed by the school board at any time for cause.

District shall determine salaries of officers.

At its annual meeting each school 22:1, laws 1909. district shall determine and appoint the salaries of its school board and truant officer or officers, and the district clerk shall certify the same to the selectmen.

Selectmen
shall assess.

The selectmen shall annually assess^{22:2, laws 1909.} upon the polls and ratable estate of the district a sum equal to the amounts determined by the district as prescribed in section 1 and shall pay over the same to the district treasurer.

The district treasurer shall pay to^{22:3, laws 1909.} the school board the salaries aforesaid and he shall likewise pay the truant officer upon the order of the school board, they certifying that he has performed the duties required of him by law.

[Truant officers cannot legally be paid out of school money.]

Duties of
truant officers.

Truant officers shall, under the di-^{P. S. 92:17,} rection of the school board, enforce^{as amended by 70, laws 1899.} the laws and regulations relating to truants and children between the ages of eight and sixteen years not attending school, and without any regular and lawful occupation; and the laws relating to the attendance at school of children between the ages of eight and sixteen years.

Truant officers shall have authority without a warrant to take and place in school any children found employed contrary to the laws relating to the employment of children or violating the laws relating to the compulsory attendance at school of children between the ages of six and sixteen years.

School day
and week.

In the absence of express contract, P. S. 92:20. a session of three hours in the forenoon and three hours in the afternoon shall constitute a school day, five such days a school week, and four such weeks a school month, in the public schools.

Enumeration
of children.

Truant officers or agents appointed by school boards of cities and towns shall annually, in the month of September, make an enumeration of the children of each sex, between the ages of five and sixteen years, in their town or city, giving such items in regard to each child as may be required by the school board or the state superintendent of public instruction, and shall make a report to the school board thereof within fifteen days after the completion.

46, laws 1895,
as amended by
91, laws 1905.

Section 14, chapter 43, Public Statutes, and any other acts inconsistent with this act are hereby repealed.

46:2, laws
1895.

Teachers may
attend institutes.

Teachers of public schools may attend teachers' institutes held within the state, as provided by law, not exceeding one day in any term, and the time so spent shall be regarded as spent in the service of the district.

P. S. 92:21,
as amended by
29, laws 1903,
and 28, laws
1909.

Patriotic exercises.

In all the public schools of the state one session during the week in which Memorial Day falls, or a portion thereof, shall be devoted to exercises of a patriotic nature.

14, laws 1897.

Holidays.

Thanksgiving Day and Fast Day, 11, laws 1899, whenever appointed, Labor Day, the ^{as amended by} 7, laws 1907, twenty-second day of February, the ^{and 96, laws} 1909; 22, laws thirtieth day of May, the fourth of 1913. July, the first day of January, the twelfth day of October, and Christmas day shall be legal holidays, and when either of the last six days mentioned occurs on Sunday, the following day shall be observed as a holiday.

Boards to
superintend
evening
schools.

The school board of such cities and ^{112:2 laws} towns shall have the same superin- 1901. tendence over such evening schools as they have over other schools, and may determine the term or terms of time in each year and the hours of the evening during which such schools shall be kept, and may make such regulations as to attendance at such schools as they may deem expedient.

Nothing contained in this act shall ^{112:3, laws} exempt any person from the require- 1901. ments of chapter 93 of the Public Statutes.

Employment
bureau for
teachers.

Any person may file in the office of ^{156:1, laws of} the superintendent of public instruc- 1915. tion an application for the position of teacher in the public schools of the state, and, when accompanied by a fee of two dollars together with such evidence of character, qualifications, education, and experience as the superintendent shall require, the said application shall be registered and the said person shall be entitled to the

benefits of this act, *provided, however,* that such person shall furnish the said superintendent from time to time such material information as he shall require, and failure to do so for the period of one year shall operate as a cancellation of registration.

Any properly authorized officer or board in the state may apply to the superintendent of public instruction for information concerning teachers registered as provided in section 1, and upon request of such officer or board, the superintendent shall recommend teachers for employment as they shall appear to be fit and qualified. ^{156:2, laws 1915.}

The costs of carrying out the provisions of this act shall be paid from the fees collected as provided in section 1 and any balance remaining at the end of the fiscal year shall be held to defray expenses incurred in subsequent years. The superintendent of public instruction shall report annually to the governor the receipts and expenditures under the provisions of this act and shall be held accountable therefor. ^{156:3, laws 1915.}

It shall be unlawful for a superintendent of schools in any city or town, or in any district composed of two or more towns, to accept any commission fee, compensation or reward of any kind for obtaining a position as ^{156:4, laws 1915.}

teacher in the public schools for any person.

Any violation of this act shall be punished by fine of not less than fifty nor more than five hundred dollars.

VII.

SUPERVISION.

Districts may require board to appoint superintendent. A school district may require the school board to elect or appoint a superintendent of schools, who shall hold office for such term, be vested with such of the powers and charged with such of the duties of the school board, and be entitled to such compensation as it may provide; and such district may raise and appropriate money to pay the compensation.

P. S. 90:24,
as amended by
48, laws 1895.

Two or more towns or special districts may jointly employ superintendent.

Two or more towns or special districts may, by vote of each, form a district for the purpose of employing a superintendent of the public schools therein, who shall perform in each town the duties prescribed by law and the regulations of the school boards.

47:1, laws
1895.

Such superintendent shall be appointed by a joint committee composed of the school board of each of the towns of said district, who shall determine the relative amount of service to be performed by him in each town, and shall fix his salary and apportion the amount thereof to be paid by the several towns, and certify such amount to the treasurer of each

47:2, laws
1895.

town. Said joint committee shall for said purposes, be held to be the agents of each town composing such district.

Two or more towns or special districts may form a supervisory district. Two or more towns or special districts, or their school boards when duly authorized by their respective districts, may, by vote of each, form a supervisory district for the purpose of employing a superintendent of the public schools therein, who shall perform in each town the duties prescribed by law and by the regulations of the school boards, giving thereto his entire time. 77:1, laws 1899.

Joint supervisory committee.

The school boards of the several districts forming the supervisory district shall constitute a joint committee, which for all purposes of this act shall be the agent of each district therein represented. Said committee shall meet between April 1 and August 1 of each year, as may be agreed upon by the chairman of the several boards, and organize by the choice of a chairman, a secretary, and a treasurer. It shall elect a superintendent for such supervisory district, determine the character and value of his services, and apportion the same among the several districts, certifying such apportionment to their respective treasurers. 77:2, laws 1899.

State will pay one half salary of superintendent.

Any town or special district which shall unite with one or more districts to form a supervisory district, which 77:3, laws 1899, as amended by 18, laws 1901.

shall employ as superintendent, at an annual salary, a person holding a permanent state teachers' certificate, and shall certify through its chairman and secretary such facts to the state treasurer, shall be entitled to one-half its apportioned share of said salary, said sum to be paid by him in December of each year to the town treasurer of each town in said supervisory district, upon sworn statement of the state superintendent of public instruction certifying as to what amount each town is entitled. This section shall not apply to cities.

[The town's portion of the superintendent's salary may be paid out of the school money.]

Size of districts.

Supervisory districts of less than three towns formed under this act shall employ not fewer than twenty nor more than sixty teachers. 77:4, laws 1899, as amended by 115, laws 1905.

Withdrawal from supervisory district.

Any town or special district which has united, or may hereafter unite, with any other town or towns, district or districts, to form a supervisory district, as provided by chapter 77 of the Laws of 1899, may, at any annual school district meeting, by vote, rescind such action, and thereupon shall, at the end of the school year or at the expiration of the period for which such supervisory district may then already have contracted for the services of a superintendent, cease to be a part of such supervisory district. 81, laws 1901.

VIII.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Appointment. There shall be a superintendent of public instruction who shall have general supervision and control of the educational interests of the state and who shall be appointed and may be removed by the governor, with the advice of the council. He shall be paid such salary as the governor and council may determine, not exceeding four thousand dollars annually. ^{149:1, laws 1913.}

The superintendent of public instruction may on or before the fifteenth day of July, 1913, appoint three deputies, at least one of whom shall be a woman. Each deputy shall be paid such salary as the governor and council shall determine, not exceeding twenty-five hundred dollars annually and necessary traveling expenses. ^{149:2, laws 1913.}

The deputies aforesaid shall be under the direction of the superintendent of public instruction and shall assist school boards and superintendents in the introduction and development of courses in agriculture and the domestic and mechanic arts and other vocational branches, in the improvement of school buildings and equipment, the transportation of pupils, and other matters relating to the promotion of popular education in the state. ^{149:3, laws 1913.}

Duties.

The superintendent of public in-struction shall prescribe the form of register to be kept in the schools, and the form of blanks and inquiries for the returns to be made by the school boards, and shall seasonably send the same to the clerks of the several towns and cities for the use of the school boards therein; he shall receive, preserve, or distribute all state documents in regard to public schools or education, and shall receive and arrange in his office reports and returns of school boards; he shall investigate the condition and efficiency of the system and popular education in the state, especially in relation to the amount and character of the instruction given to the study of physiology and hygiene, having special reference to the effects of alcoholic stimulants and of narcotics upon the human system, and shall recommend to school boards what he considers the best text-books upon those subjects and suggest to them the best mode of teaching them, and shall pursue such a course for the purpose of awakening and guiding public sentiment in relation thereto as may seem to him best, and he shall biennially make a report containing a concise abstract of the returns of the school boards, a detailed report of his own doings, a statement of the condition

P. S. 94:2, as amended by 35, laws 1895, and 33, laws 1903.

and progress of popular education in the state, and such suggestions and recommendations in regard to improving the same as his information and judgment may dictate. He shall have authority at the close of each biennial session of the legislature to compile and issue at the expense of the state an edition of the school laws with the session amendments, not exceeding two thousand copies.

He shall visit and lecture upon educational subjects in as many towns and cities of the state during the term of his office as the time occupied by his other official duties will permit.

Institutes.

He shall organize, superintend, and hold at least one teachers' institute each year in each county of the state, and appoint the time and place, and make suitable arrangements therefor.

In case he is unable for any cause to conduct in person any institute, or to make the necessary arrangements therefor, he shall appoint the principal of the state normal school, or some other suitable person for that purpose.

Institute fund.

The state treasurer is authorized and instructed to invest, as a permanent institute fund, the proceeds of the sale of the state lands effected under the authority of a joint resolution approved June 28, 1867, and the

annual income thereof is set apart for the support of teachers' institutes.

The superintendent of public in-
struction may draw upon the state
treasurer each year for such part of
said income as may be required to de-
fray the necessary expenses of the in-
stitutes, and for procuring suitable
instruction and lectures for the same.

Expenses of
institute.

His account for the expenses of
the institutes shall be audited each
year by the governor and council, and
he shall incorporate in his annual
[biennial] report a report of the in-
stitutes and of the expenses of the
same.

Copy of re-
ports to be
sent to school
boards.

He shall forward to the chairman
of every school board in the state a
copy of each of his annual reports.

The state of New Hampshire hereby
accepts the provisions of the act of
Congress, approved February 23, 1917,
entitled, "An Act providing for the
promotion of vocational education;
to provide for the coöperation of the
states in the promotion of such educa-
tion in agriculture and the trades and
industries; to provide for coöperation
with the states in the preparation of
teachers of vocational subjects; and
to appropriate money and regulate its
expenditure." The good faith of the
state is hereby pledged to make avail-
able for the several purposes of said
act funds sufficient at least to equal
the sums allotted, from time to time,

to this state from the appropriations made by said act and to meet all conditions necessary to entitle the state to the benefits of said act.

The state treasurer is hereby designated custodian of all funds allotted to this state from the appropriations made by said act, and he shall receive and provide for the proper custody and disbursement of the same in accordance with said act.

There is hereby created a state board for vocational education consisting of five members, consisting of the governor, the superintendent of public instruction and the president of New Hampshire College of Agriculture and the Mechanic Arts members *ex officio*, and two others to be appointed by the governor, with the consent of the council, one representing the agricultural and one the industrial interests of the state. One member shall be appointed for two years and one for four years; and thereafter one member shall be appointed every two years for a term of four years to serve until his successor is appointed and qualified. In case of a vacancy an appointment may be made to fill out the unexpired term. No member of the board shall receive pay beyond actual expenses incurred. The superintendent of public instruction shall be the executive officer and secretary of the board.

The said board is hereby authorized 226:4, 1917. and empowered to carry into effect the provisions of the said federal act.

The said board is hereby authorized 226:5, 1917. ized to arrange with institutions and with schoolboards of town and city districts situated within the state to furnish the necessary buildings, equipment and additional funds required in carrying out the provisions of the act of congress providing for vocational education so far as this act applies to New Hampshire, and said school districts are hereby authorized to enter into such arrangement with said board.

This act shall take effect September 226:6, 1917. 1, 1917.

IX.

SCHOOLHOUSES AND GROUNDS.

Location.

The district may decide upon the P. S. 91:1. location of its schoolhouses, by vote or by a committee appointed for the purpose.

Power of
building
Committee.

No committee shall have power to P. S. 91:2. bind the district beyond the amount of money voted by it, and the district shall not be bound by any act, as a ratification of the doings of such committee, beyond their authority, unless by express vote of the district.

Grievance on
account of
location.

If ten or more voters of a district P. S. 91:3. are aggrieved by the location of a

schoolhouse by the district or its committee, they may apply by petition to the school board, who shall hear the parties interested and determine the location.

School board
may locate—
when.

If the district does not agree upon a location for a schoolhouse or upon a committee to locate the same, or if the same is not located by such committee within thirty days after its appointment, the school board, upon petition of ten or more voters, shall determine the location. P. S. 91:4.

Appeal.

If ten or more voters of a school district are aggrieved by the location of a schoolhouse by the district or its committee, or by the school board, they may apply by petition to the county commissioners within ten days after the making of the location, who shall hear the parties interested and determine the location. P. S. 91:5.

Hearing on
appeal.

The chairman of the county commissioners shall appoint a time and place within the district for a hearing upon every such petition; and shall give notice thereof by causing attested copies of the petition and order of notice to be posted at two or more public places within the district and to be given in hand to, or left at the abode of, the clerk of the district and of one of the school board, fourteen days before the day of hearing. P. S. 91:6.

In such cases, vacancies in the P. S. 91:7.

board of commissioners arising from disqualification of members or otherwise shall be filled in the same manner as like vacancies are filled in highway cases referred to them.

The hearing shall be closed within P. S. 91:8. sixty days. The commissioners shall hear all parties interested who desire to be heard, and shall make their decision in writing and file it with the clerk of the district.

The district shall take no steps to P. S. 91:9. carry into effect a former location while any subsequent proceedings authorized by law for a change thereof are pending.

Compensation
of commis-
sioners.

The commissioners shall be paid by P. S. 91:10. the district for their services the same fees as in highway cases. Districts are authorized to raise money for that purpose.

Term of
location.

The location of schoolhouses, how-P. S. 91:11. ever made, shall be conclusive for the term of five years, unless an appeal therefrom shall be prosecuted as provided in this chapter.

Enlargement
of schoolhouse
lot.

The school board or county commis- P. S. 91:12. sioners may enlarge any existing schoolhouse lot so that it shall contain not exceeding one acre, upon such petition to them and proceedings thereon as are required to authorize them to determine the location for a schoolhouse.

Appraisal for
land damages.

If any school district shall neglect P. S. 91:13. or refuse to procure the lot of land

selected for the location of a school-house or for the enlargement of an existing schoolhouse lot, as provided in this chapter, or if the owner of the land shall refuse to sell the same to the district for a reasonable price, the selectmen, upon petition to them by the school board, or by three or more voters of the district, shall appraise the damages occasioned to the land owner by the taking of his land. The appraisal shall be made in writing, and be filed with the clerk of the district.

Appeal from
appraisal.

Any land owner aggrieved by such P. S. 91:14.
appraisal of his damages may appeal therefrom to the supreme court by petition within sixty days after the appraisal is filed with the clerk of the district; and the procedure and remedies upon such appeal shall be the same as in appeals from the assessment of damages by selectmen in highway cases, except that service of papers shall be made upon the clerk of the district and one of the school board, instead of the town clerk and one of the selectmen, and except as provided in the following section.

Possession.

Upon payment or tender of the P. S. 91:15.
damages awarded, the land shall vest in the district, and it may take possession of it. Such payment or tender may be made in accordance with the award of the selectmen before an

appeal is taken, or while an appeal is pending, and shall have like effect. In such case, if the damages are increased upon appeal the land owner shall have judgment for the excess; if decreased, the district shall have judgment for the amount of the decrease. If the result of the appeal is to change the award of damages in favor of the land owner, he shall recover costs; otherwise, he shall pay costs.

Selectmen
may build, re-
move, etc.—
when.

If a district shall refuse or neglect to build, repair, remove, or fit up a schoolhouse, or shall refuse or neglect to build a schoolhouse upon or to remove it to the lot designated as aforesaid, the selectmen, upon petition of three or more voters of the district, after hearing the parties, may assess upon the district and collect such sums of money as may be necessary, and therewith cause such schoolhouse to be built, removed, repaired, or fitted up. P. S. 91:16.

Schools shall
be kept—
where.

The schools of a district shall be kept in its schoolhouses, if it has suitable houses that will accommodate the scholars; if not, the school board shall provide suitable accommodations for the schools at the expense of the district. P. S. 91:17.

Use of school-
houses for
other pur-
poses.

A school district or a school board thereof may grant the use of any schoolhouse in the district for a writ- P. S. 91:18.

ing or singing school, and for religious and other meetings, whenever such use will not conflict with any regular school exercise. The person so using a schoolhouse shall be liable for any damages to the same and to the property therein.

Selection and
purchase of
lots in cities.

The school board of cities shall have sole power to select and purchase land for schoolhouse lots. When said board has secured, by vote of the city councils, an adequate appropriation for the purchase of a specified lot at a specific price, then said board may make the purchase. 65:1, laws 1897.

Building, etc.,
in cities.

No schoolhouse shall be erected, altered, remodeled, or changed in any city school district, unless the plans thereof have been previously submitted to the school board of that district and received its approval, and all new schoolhouses shall be constructed under the direction of a joint special committee, chosen in equal numbers by the city councils and the school board. 65:2, laws 1897.

Upon the completion of a new schoolhouse, the city councils shall, by vote, transfer it to the care and control of the school board. Whenever a schoolhouse shall no longer be needed for public school purposes, the school board shall retransfer its care and control to the city. 65:3, laws 1897.

The provisions of the three preceding sections shall not apply to the 65:4, laws 1897.

Union School District of Concord, or to the Union School District in the city of Keene.

Shade trees,
etc.

Whenever any party, at a proper time of the year, shall present to the selectmen of any town or ward, well-grown nursery trees of the nut, shade, or ornamental varieties, such selectmen may set out said trees in the highways, cemeteries, commons, schoolhouse yards, and other public places, as indicated by the donor of said trees, and protect the same at the expense of the town.

44:1, laws
1897.

Nothing in this act shall be construed to compel any party to have trees set in the highway on the side next his land without his consent.

44:2, laws
1897.

Doors to open
outwards.

The outer doors and doors of passages leading outward, of churches hereafter built or rebuilt, schoolhouses containing more than two schoolrooms, and halls and other buildings used for public gatherings, shall open outward; and it shall be the duty of the selectmen of towns to see that these provisions are complied with, and to prosecute persons who neglect to do so.

108, laws,
1909.

Fire escapes
on school-
houses.

No building three or more stories in height used or occupied above the second story as a hotel, transient lodging house, schoolhouse, orphan asylum, theatre, hall for public assembly, factory, mill, or workshop,

123:1, laws
1915.

and no building used in part for commercial purposes and occupied above the second story as a lodging or boarding house, and no building used as an apartment or tenement house above the third story, shall be let, leased, or occupied for such purposes, except school dormitories which are otherwise provided with safe and adequate fire-escapes, unless provided with a steel or wrought-iron balcony and stairway fire-escape attached to the outer wall in such manner and place as to render egress from said building easy and safe, and shall be subject to the approval as to location of the selectmen of towns or of such city officials as may be designated by the city governments for that purpose. If any such building be of a length greater than one hundred and fifty feet, it shall be provided with one additional such fire-escape for each additional one hundred and fifty feet or fractional part thereof. Every building in which laborers are employed shall be provided with sufficient means of escape in case of fire by more than one exit, each of which shall be at all times free from obstruction and ready for immediate use. Every door leading into any such building shall be so constructed as to open outward when practicable, and shall not be so locked, bolted, or fastened during working hours as to

prevent free egress. This act shall not apply to buildings which contain an approved sprinkler system and stairways enclosed with fireproof walls, or other means of exit duly approved in writing by the selectmen of towns or by such city officials as may be designated by city governments for that purpose. But it shall not be necessary to secure the approval of said officers for any such building as has been theretofore duly approved by officials authorized at the time of such approval to grant the same.

Such fire-escapes shall reach within eight feet of the ground, and the locations of the exits thereto shall be designated by red lights during such hours of the night as the building is occupied for the purposes designated in section 1 of this act. ^{123:2, laws of 1915.}

If any person shall violate any of the provisions of this act, he shall be fined not exceeding five hundred dollars or be imprisoned not exceeding six months, or both, and it shall be the duty of said officers to enforce the provisions of this act. ^{123:3, laws of 1915.}

Chapter 137 of the Laws of 1907, chapter 164 of the Laws of 1909, chapter 43 of the Laws of 1911, and chapter 215 of the Laws of 1913 are hereby repealed, and this act shall take effect upon its passage. ^{123:4, laws of 1915.}

Barbed wire
fences near
schoolhouses.

If any owner or occupant of land adjoining land occupied by a school ^{P S. 143:31.}

district for school purposes erects, keeps or maintains any barbed wire fence to separate or divide such lands, he shall be fined not exceeding twenty-five dollars.

The selectmen or school board shall P. S. 143:32. prosecute at the expense of the town or district, as the case may be, any violation of the preceding section.

Nuisance in
vicinity of
schoolhouse.

If any person shall use or occupy P. S. 108:15 building or place near a dwelling-house or schoolhouse, or in the compact part of a town, for a slaughterhouse, a place of deposit of green pelts or skins, or for trying tallow, currying leather, or carrying on any other business that is offensive to the public, without the written permission of the health officers of the town, he shall forfeit ten dollars for each month such building or place shall be so used or occupied, to be recovered for the use of the town.

Saloons and
schoolhouses.

No license shall be granted for the 95:9, laws
traffic in liquor in any building which 1903.
shall be on the same street or avenue within two hundred feet of a building occupied exclusively as a church or schoolhouse, the measurements to be taken in a straight line from the center of the nearest entrance to the building used for such church or school, to the center of the nearest entrance to the place in which the traffic in liquor is desired to be carried on, or in any location where the

traffic shall be deemed by said board of license commissioners detrimental to the public welfare, *provided*, that this restriction shall not apply to hotels or drug stores used as such on the first day of January, 1903.

Sanitation of
schoolhouses.

The state board of health shall ^{35:1, laws}
upon complaint of any responsible ^{1915.}
person, investigate the sanitary conditions of any schoolhouse or building used for school purposes.

If they shall find that such school- ^{35:2, laws}
house or building is in any respect a ^{1915.}
menace, or likely to become a menace, to the health or bodily welfare of the pupils or teachers, they shall call the attention of the local board of health to the facts; and if after a reasonable length of time the complaint has not been attended to in a satisfactory way, they shall either order such changes as will in their judgment make the building safe and sanitary for school purposes, or condemn the same and forbid its further use.

It shall be the duty of the school ^{35:3, laws}
board of the district forthwith to ^{1915.}
make the changes ordered, and the cost of the same shall be a charge upon the district. The selectmen shall assess the cost upon the polls and ratable estate of the district in addition to money voted by the district or required by law for the support of schools. In anticipation of such assessment, the school board

may borrow money on the credit of the district to meet the charges incurred.

All acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect on its passage. ^{35:4, laws 1915.}

X.

HIGH SCHOOLS.

Districts may establish high schools. Any school district may, by vote or P. S. 89:9. by-law, establish and maintain a high school in which the higher English branches of education and the Latin, Greek, and modern languages may be taught.

Town must maintain. It shall be the duty of any town in which there is a high school, established by vote of the town, to raise and appropriate each year sufficient money to properly maintain such school. ^{72, laws 1905.}

Discontinuance of such schools. No high school established by a vote of a town shall be discontinued, or the location thereof be changed, except by the superior court, on petition of the school board of the town district in which it is located, after such notice as the court may order, if it shall appear that the educational interests of the town district require such discontinuance or change. ^{20, laws 1905.}

Adjoining districts may make contracts for establishing joint high school. Two or more adjoining districts in the same or different towns may make contracts with each other for establishing and maintaining jointly a high school. ^{P. S. 89:10.}

or other public school for the benefit of their scholars, and may raise and appropriate money to carry the contracts into effect; and their school boards, acting jointly or otherwise, shall have such authority and perform such duties in relation to schools so maintained as may be provided for in the contracts.

Districts may contract for tuition.

Any school district may contract with an academy, seminary, or other literary institution located within its limits or in its immediate vicinity, for furnishing instruction to its scholars; and the school money may be used to carry the contract into effect; *provided, however*, that the superintendent of public instruction shall have full power and authority to terminate such contracts whenever in his judgment the educational interests of the districts so require.

P. S. 89:11,
as amended by
chapter 137,
laws 1911.

High schools in dissolved special districts.

Whenever any school district organized under a special act of the legislature shall vote to abolish such district and to unite with the town district, if said town district shall vote to receive said special district, if said special district has for the five years next preceding such vote maintained a high school, it shall be incumbent on the town district with which it unites to thereafter keep and maintain within the limits of said special district a high school for at least thirty-four weeks in each year,

64:1, laws
1891.

and of equal grade to that which had been previously maintained therein by such special district, said high school to be open to all scholars in the town district of suitable age and qualifications.

Towns must maintain such schools. It shall be the duty of said town district to raise and appropriate each year thereafter sufficient money in addition to the school money which the town in which it is situated may raise, to properly maintain such high school, or schools, as may be established under the preceding section. 64:2, laws 1891.

Discontinu-
ance of such
schools. Any high school hereby established may be discontinued, or the location thereof changed, by the supreme court, on petition of the school board of the town district in which it is located, after such notice as the court may order, if it shall appear that the educational interests of the town district require such discontinuance or change. 64:3, laws 1891.

Penalty. Any town district failing to comply with the provisions of this act, or any of them, shall be fined for such neglect. 64:4, laws 1891.

Towns not maintaining high schools must pay tuition. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this state, and the parent or guardian of such 96:1, laws 1901, as amended by 118, laws 1903, and 16, laws 1917.

child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend; *provided, however*, that no town shall be liable for tuition of a child in any school, in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text-books, supplies, and apparatus during the school year preceding, nor in any case, shall the town be liable for tuition for any child in excess of fifty-five dollars per year.

Liability for tuition.

If any town in which a high school or school of corresponding grade is not maintained neglects or refuses to pay for tuition as provided in the preceding section, such town shall be liable therefor to the parent or guardian of the child furnished with such tuition, if the parent or guardian has paid the same, or to the town or city furnishing the same in an action of contract.

Rebate from state in certain cases.

[such sum as may be needed] shall be appropriated annually from the state treasury for the payment of tuition in high schools and academies, to be paid by the state treasurer in the month of December of each year to the treasurers of such towns as are entitled, and in such manner as is hereinafter provided, upon a sworn

96:2, laws 1901.

96:3, laws 1901, as amended by 89, laws 1905.

certificate of the superintendent of public instruction of the sums due.

Towns whose rate of taxation for school purposes in any year is \$3.50 or more on \$1,000, and whose average rate of taxation for all purposes for five years next preceding is \$16.50 or more on \$1,000, shall receive a share of said appropriation as follows:

If the tax rate is from \$16.50 to \$17.49, one-tenth of the tuition paid.

If the tax rate is from \$17.50 to \$18.49, two tenths of the tuition paid.

If the tax rate is from \$18.50 to \$19.49 three-tenths of the tuition paid.

If the tax rate is from \$19.50 to \$20.49, four-tenths of the tuition paid.

If the tax rate is from \$20.50 to \$21.49, five-tenths of the tuition paid.

If the tax rate is from \$21.50 to \$22.49, six-tenths of the tuition paid.

If the tax rate is from \$22.50 to \$23.49, seven-tenths of the tuition paid.

If the tax rate is from \$23.50 to \$24.49, eight-tenths of the tuition paid.

If the tax rate is from \$24.50 to \$25.49, nine-tenths of the tuition paid.

Over \$25.49, the whole of such tuition.

Definition of
high school.

By the term "high school" or "academy," as used in this act, is understood a school having at least one course of not less than four years, properly equipped and teaching such

or 96:4, laws 1901, as amended by 31 and 118, laws 1903, and 19, laws 1905.

subjects as are required for admission to college, technical school, and normal school, including reasonable instruction in the constitution of the United States and in the constitution of New Hampshire, such high school or academy to be approved by the state superintendent of public instruction as complying with the requirements of this section. And said superintendent is authorized to approve a school maintaining any part of such course for the part so maintained.

Approval by
superintendent
of public
instruction.

Literary fund
for scholars
attending
high schools
and academies.

Towns paying tuition of scholars in high schools or academies shall receive a proportionate share of the literary fund for the attendance of such pupils. All academies and private schools shall be furnished with copies of the school register, and shall make an annual statistical report to the state superintendent.

96:5, laws
1901.

[Contracts made with corporations outside the state are not considered valid, except in the cases specified in the section below.]

Districts may
make con-
tracts for
tuition.
Status of
schools with
which con-
tracts are
made.

Any school district may make contracts with any academies or high schools or other literary institutions located in the state for furnishing instruction to its scholars; and such school district may raise and appropriate money to carry into effect any contracts in relation thereto. Every such academy or high school or literary institution shall then be deemed

96:6, laws
1901, as
amended by
118, laws
1903; 90,
laws 1905;
126, laws of
1915; 219,
laws of 1917.

a high school maintained by such district, if approved by the superintendent of public instruction in accordance with section 4 of this act; *provided, however*, that whenever it shall appear that attendance of any pupil at the school with which such contract shall have been made will work manifest hardship and when it shall further appear that attendance at some other approved high school or academy will not work hardship, the pupil through his parent or guardian or some other responsible citizen may apply to the school board for an order transferring the pupil to such more accessible approved high school or academy. The school board shall thereupon within ten days order a hearing upon the case and if it shall appear to them that the claim is well founded shall issue such order, and the district in which the child with parent or guardian resides shall then be liable to the academy or high school to which such child is assigned for tuition of such child as provided by chapter 96, Laws of 1901, and amendments thereto; *and provided, further*, that the person making application to the school board as provided in this act or the governing board of the high school or academy with which such contract shall have been made may appeal from the decision of the school board to the super-

intendent of public instruction for review and final decision and either party shall have the same right of appeal in case the school board shall neglect or refuse to reach a decision within ten days from the date of filing application.

The school districts in the towns of Walpole, Mason, Rollinsford and Conway may make contracts with Bel-^{122, laws} lows Falls, Vt., Townsend, Mass., Ber-^{1907.} wick Academy, Me., and Fryeburg Academy, Me., respectively, for furnishing instruction to their pupils of high school grade, and may raise and appropriate money to carry such contracts into effect.

Towns border- Any school district in towns bor-^{96:7, laws} ing on state dering on the state line, not having a^{1901, as} line may con- high school or school of correspond-^{amended by} tract with in- ing grade, may make contracts with^{100, laws} stitutions in 1909.^{1909.} another state. high schools or academies in towns
Entitled to rebate from state under 96, laws 1901. and cities located out of the state, whenever by reason of distance and transportation facilities such schools outside the state are more accessible to the pupils, and may raise and appropriate money to carry such contracts into effect; *provided, however,* that every such academy or high school shall be approved by the superintendent of public instruction, in accordance with section 4, chapter 96, Session Laws of 1901, and acts in amendment thereof and addition thereto.

Any district in a town bordering on the state line not maintaining a high school or school of corresponding grade shall pay for the tuition of any child, who, with parents or guardian resides in said district and who attends a high school, or academy located out of the state, whenever by reason of distance and transportation facilities such schools outside the state are more accessible to the pupils; *provided, however*, that every such academy or high school shall be approved by the superintendent of public instruction, in accordance with section 4, chapter 96, Session Laws of 1901, and acts in amendment thereof and addition thereto, and the parents or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he desires to attend, and the approval of the school board shall be necessary in all cases arising under this section.

Such districts shall be entitled to rebate.

Towns paying for tuition of scholars in high schools or academies out of the state shall be entitled to share in the annual appropriation of the state for such tuition, and in the literary fund, so called, in the same manner as towns paying for the tuition of children attending a high school or academy in the state.

96:8, laws
1901, as
amended by
100, laws
1909.

96:9, laws
1901, as
amended by
100, laws
1909.

Contract with Any school district may contract P. S. 89:11 as
 academy or with an academy, seminary, or other amended by
 other literary institution located within its chapter 137
 institution. literary institution located within its laws 1911.
 limits or in its immediate vicinity,
 for furnishing instruction to its
 scholars; and the school money may
 be used to carry the contract into
 effect; *provided, however,* that the
 superintendent of public instruction
 shall have full power and authority to
 terminate such contracts whenever in
 his judgment the educational inter-
 ests of the districts so require.

Educational The principal of each college, acad- 40, laws 1907.
 Institutions emy, seminary, or other institution of
 to send learning incorporated by the laws of
 catalogues to N. H. Gene- this state, shall annually and before
 N. H. Gene- the first day of November of each
 alological year forward to the New Hampshire
 Society. Genealogical Society, for its library,
 one copy of each printed catalogue of
 its officers and students and courses
 of studies published during the year
 next preceding said date.

XI.

NORMAL SCHOOLS.

Plymouth.

Establishment. The New Hampshire State Normal P. S. 95:1.

School, as heretofore established and located, is continued. The instruction in the school shall be confined to such branches as will specially prepare the pupils to teach in the public schools, and to such other branches as are usually taught in normal schools. The school shall be in session at least twenty weeks in each year.

Trustees. The management of the school shall be vested in a board of trustees composed of the governor, the superintendent of public instruction, and five other persons who shall be appointed by the governor, with the advice of the council, and shall hold office for five years, one of whom shall be appointed each year. P. S. 95:2, as amended by 3, laws 1903.

Officers of board of trustees. The board shall choose from its members a president and secretary, and such committees and other officers as may be necessary to transact its business, and may choose a treasurer who is not a member of the board. They shall meet at least once each year and shall receive no compensation for services, but shall be paid their reasonable expenses while engaged in the performance of their duties. P. S. 95:3.

Teachers. They shall select and employ a principal teacher for the school, who shall be allowed, with their advice and consent, to select the assistants, and provide for the discipline of the school. P. S. 95:4.

Courses of study. The trustees, with the principal, shall arrange courses of study for the school. P. S. 95:5.

Examinations, admission and graduation. The trustees and principal shall prescribe and control the examinations for the admission and graduation of pupils, and they shall grant certificates of graduation to such as complete either course and pass the required examinations. P. S. 95:6.

Tuition free upon certain conditions. Tuition and graduation shall be free to all those completing either course of study who will agree to teach in the public schools of this state for a period equal to the length of such course. The trustees shall make such provisions as may be necessary to effect the purposes of this section. P. S. 95:7

Support. The sum of thirty-two thousand dollars is annually appropriated for the maintenance of the school, to be expended as the trustees shall direct. Chapters 230 and 231, laws of 1917.

Teachers at institutes. The principal and teachers of the State Normal School shall assist and give instruction at teachers' institutes, so far as they can without interfering with their duties in the normal school, but they shall receive no additional compensation, except for P. S. 95:9.

travel and other actual and necessary expenses while so employed.

Duties of superintendent of public instruction in connection with school.

The superintendent of public instruction, in his annual report, shall state the condition of the school, the terms of admission and graduation, the times of the commencement and close of the sessions, and shall cause the same to be printed on the cover of the school register. P. S. 95:10.

Keene.

Establishment of Keene Normal School.

On or before May 1, 1909, the governor and council and the board of trustees of the State Normal School shall organize as a joint board for the location and establishment of a normal school in Keene. 157:1, laws 1909.

Said board is hereby authorized to receive aid in money, property or other valuable effects, for the benefit of said school from any and all individuals or municipal or other corporations. Said board is authorized to purchase or acquire such lands as it may deem best, consistent with the amount or means appropriated or otherwise obtained for such purposes. And in the purchase or acquisition of lands and the buildings thereon, if any, said board is authorized and directed to procure a good and suitable deed of conveyance in the name of the state and a proper instrument of sale of all such library, school furniture 157:2, laws 1909.

and apparatus therein as may be acquired.

Contract with city of Keene. No money shall be expended under the provisions of this act until the union school district in said city shall have agreed in writing through its duly authorized officials with the duly authorized officials acting for the state, to coöperate with said school in the maintenance of model and practice schools, for a term of years, in such manner as shall meet with the approval of said trustees, and said district is hereby authorized to enter into such contract. 157:3, laws 1909.

Appropriation for establishment. A sum not to exceed ten thousand dollars (\$10,000) is hereby appropriated for the purposes of sections 1 and 2 of this act and the governor is hereby authorized to draw his warrant for all or any part of said amount upon any moneys in the treasury not otherwise appropriated, said sum to be used in connection with any other money or moneys that may be secured from any other source for the aforementioned purposes. 157:4, laws 1909.

Government. Said school when established shall be under the direction of the board of trustees of the state normal school now established, and said board shall be styled The Board of Trustees of the New Hampshire Normal Schools. All provisions of chapter 95 of the Public Statutes and the amendments 157:5, laws 1909.

thereto, not inconsistent herewith, relating to the organization, government and maintenance of the normal school mentioned therein and all the duties imposed or prescribed thereby for the trustees, teachers or pupils and the superintendent of public instruction shall apply to and be observed in the organization, government and maintenance of the normal school established under this act.

Contracts
with towns
other than
Plymouth or
Keene.

The Board of Trustees of the New Hampshire Normal Schools is hereby ^{157:6, laws 1909.} authorized to contract with any city or town in the vicinity of either of the normal schools for the maintenance of practice schools therein in connection with said normal schools and may provide for the payment of such portion of the compensation of the supervising teachers employed in said practice schools as they may deem just and equitable.

Any city or town is hereby author- ^{157:7, laws 1909.} ized to enter into such contract as is provided by either section 3 or section 6 of this act; also any city or town is authorized to make such gifts as it may determine for the establishment or maintenance of said school.

Maintenance. [The sum of thirty-two thousand ^{Chapters 230 and 231, laws of 1917.} dollars was appropriated for each of the years 1917-18 and 1918-19, respectively.]

XII.

SCHOLARS.

None shall attend without consent of board. No person shall attend school, or P. S. 93:1. send a scholar to the school, in any district of which he is not an inhabitant, without the consent of the district or of the school board.

Vaccination. No child shall attend any public, P. S. 93:2, as parochial, or private school unless he amended by 19, laws 1901, has been vaccinated or has had the and 90, laws 1909. smallpox, and this section shall be enforced by the board of health, except in the case of a child who has submitted to the process of vaccination not less than three times, or who holds the certificate of the local board of health that he is an unfit subject for vaccination. Said board of health shall issue such certificate upon the advice of a registered physician approved by said board of health.

Infectious diseases. No parent or guardian, person or 16:7, laws 1901. persons having the custody of any child shall permit such child, if infected with any communicable disease, or has been exposed to such, to attend any public or private school.

Penalty. Any person who knowingly violates 16:9, laws 1901. any provision of this chapter, or any regulation established by authority of this chapter, shall be punished by a fine of ten dollars for each offense.

Dismissal for misconduct. Any scholar may be dismissed from P. S. 93:3. school by the school board for gross

misconduct, or for neglect or refusal to conform to the reasonable rules of the school; and he shall not attend the school until restored by the school board.

Scholars shall attend where assigned.

No scholar who shall have been assigned to a particular school by the school board shall attend any other school in the district until assigned thereto. P. S. 93:4.

Penalty.

If any scholar, after notice, shall attend or visit a school which he has no right to attend, or shall interrupt or disturb the same, he shall be fined for the first offense five dollars, and for any subsequent offense ten dollars, or be imprisoned not exceeding thirty days. P. S. 93:5.

District by-laws concerning truants.

Districts may make by-laws, not repugnant to law, concerning habitual truants and children between the ages of six and sixteen years not attending school and not having a regular and lawful occupation, and to compel the attendance of such children at school, and may annex penalties for the breach thereof not exceeding ten dollars for each offense. P. S. 93:6.

[The department will furnish an article drawn by the attorney-general for insertion in the school warrant upon application.]

Penalty.

Any offender against such by-laws, upon conviction, may be sentenced to pay a fine and to be committed to the industrial school until it is paid or he is otherwise discharged, or he may be P. S. 93:7.

sentenced to the industrial school for a term not exceeding one year.

The court or justice imposing a fine upon any such offender may remit it upon proof that he is unable to pay it, and has no parent, guardian, or person chargeable with his support able to pay it, and may discharge him from the industrial school if he has been committed there for non-payment thereof. P. S. 93:8

Any such offender so convicted may give bond to the district in the penal sum of twenty-five dollars, with sufficient sureties, approved by the court or justice before whom he was convicted, conditioned to attend regularly some school kept in the district for one term next ensuing, to comply with the regulations thereof, and to be obedient and respectful to the teacher; and his fine may thereupon be remitted by such court or justice upon payment of the costs. P. S. 93:9

Persons having custody of children must cause them to attend school.

Every person having the custody and control of a child between the ages of eight and fourteen years, or of a child under the age of sixteen years, unless such child shall have completed the course of study prescribed for the elementary schools, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school P. S. 93:14, as amended by 61, laws 1901; 13, laws 1903; 139, laws 1911; 221, laws 1913; and Chapter 152, laws 1917.

is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public schools were in session in the common English branches, or, having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district; *provided, however*, that any person having the custody and control of a child may apply to the state superintendent of public instruction for relief whenever such person deems it to be against the moral or physical welfare of such child to attend the particular school required by law, and thereupon, after notice to the school board of the district in which such child is required to attend school, the state superintendent of public instruction may order such child to attend another school in the same district if such school is available; may order such child to attend school in another

district, in which case the district in which such child resides shall pay to the district in which such child attends school tuition not to exceed the average cost per child of instruction for the regularly employed teachers and the cost of text-books, supplies and apparatus for such time as such attendance shall continue; may permit such child to withdraw from school attendance for such time as he may deem necessary or proper; or make such other order or orders with respect to the attendance of such child at school as in his judgment the circumstances require, and *provided further* that whenever it shall appear to the superintendent of schools, or, if there is no superintendent, any member of the school board, that the educational welfare of any child above the age of fourteen will be best served by the withdrawal of such child from school, then the superintendent or member of the school board shall forward to the superintendent of public instruction a statement of the case with such evidence as the latter shall require with the recommendation that the child be exempted from further attendance at school, and the superintendent of public instruction, after such investigation as he shall deem necessary, if he shall find that the facts warrant,

shall forthwith make an order exempting such child from attendance as recommended.

Copies of law to be sent to offenders.

The school board of every district P. S. 93:16. shall cause a copy of the two preceding sections to be sent to every person who they have reason to believe does not comply with the requirements of section 1 of this chapter.

Penalty for interrupting school.

Any person, not a scholar, who P. S. 93:17. shall wilfully interrupt or disturb any school shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days.

School board must prosecute offenders.

It shall be the duty of the school P. S. 93:18. board to prosecute offenders for violations of the provisions of this chapter. If they neglect to perform this duty they shall forfeit twenty dollars for each neglect, for the use of the district, to be recovered in the name of the district by the selectmen of the town. All necessary expenses incurred in such proceedings shall be paid by the district.

Limitation of prosecution.

No prosecution under this chapter P. S. 93:19. shall be sustained unless begun within one year after the offense is committed.

Private schools must be approved.

No certificate as provided in the P. S. 93:20, amended by 62, laws 1895. foregoing sections shall be issued for attendance at any private school, unless such school shall have previously been approved by the school board of

the district in which it is situated as furnishing instruction in the English language in all the studies required by law equal to that given in the public schools of said district, and unless the record of attendance shall be kept in the form required of the public schools, and be open to the inspection of the school board of the district at all times.

Evening
schools.

Upon petition of five per cent of the legal voters of any city or town having more than five thousand inhabitants, according to the latest United States census, said city or town shall establish and maintain, in addition to the schools required by law to be maintained therein, evening schools for the instruction of persons over fourteen years of age in such branches of learning and art as the school board shall deem expedient. ^{112:1, laws 1901.}

Prohibited
employment.

No child under the age of fourteen shall be employed, or permitted or suffered to work, in, about, or in connection with, any mill, factory, workshop, quarry, mercantile establishment, tenement house, manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transmission of merchandise or messages. ^{162:1, laws 1911, amended; 224:1, laws 1913.}

No child under the age of sixteen shall be employed, or permitted or ^{162:2, laws 1911.}

suffered to work, in any establishment named in above section during the time in which the public schools are in session in the district in which he resides, unless he can read understandingly and write legibly simple sentences in the English language; *provided, however*, that if any child shall have reached the age of fourteen and shall have attended an English-taught school regularly for not less than three years and shall then be deemed by the superintendent of schools, or other person authorized to grant employment certificates, to be mentally incapable of learning to read and write legibly the English language in the regular schools, the case may be referred to the state superintendent of public instruction, who after investigation either by himself or by his agent, may issue a permit authorizing the employment of such child even though such child may be unable to read understandingly and write legibly simple sentences in the English language.

Whenever requested by the superintendent of public instruction, the State Board of Health shall cause to be made an inspection of any factory or other place in which children under the age of sixteen are employed and may require the discharge of any child or children found em-^{162:3, laws 1911.}

ployed therein who by reason of physical condition, of unsanitary conditions of employment, or of development below the normal development of children of that age, can not in their judgment continue to be employed without undue risk to health.

No boy under ten and no girl under sixteen years of age shall sell or expose or offer for sale newspapers, magazines, periodicals or other merchandise in any street or public place. No child shall work as a bootblack in any street or public place unless he is over ten years of age.

Hours of
labor.

No person under the age of eighteen years shall be employed or permitted to work as a messenger for a telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day.

No boy under the age of sixteen years, and no girl under the age of eighteen years, shall be employed, or permitted or suffered to work, at any gainful occupation, other than domestic service or work on a farm, more than fifty-eight hours in any one week, nor more than eleven hours in any one day; nor before the hour of half past six o'clock in the morning, nor after the hour of seven

162:4, laws
1911.

162:5, laws
1911.

162:6, laws
1911,
amended;
224:6, laws
1913.

o'clock in the evening—except that minors sixteen years of age or over may work in retail stores and telephone exchanges until ten o'clock in the evening. And boys fourteen years or over may deliver newspaper routes after five o'clock in the morning, and boys twelve years old or over may deliver newspaper routes between four and eight o'clock in the evening.

Certificates.

No child under sixteen years of age shall be employed, or permitted or suffered to work, in, about, or in connection with, any place or establishment named in section 1, unless the person, firm, or corporation employing such child, procures and keeps on file, and accessible to any truant officer, or other authorized inspector, an employment certificate as herein-after prescribed. ^{162:7, laws 1911.}

On the termination of the employment of a child whose employment certificate is on file, such certificate shall be kept by the employer and surrendered to any authorized inspector on demand. ^{162:8, laws 1911.}

An employment certificate shall be issued only by the superintendent of schools, or where there is no superintendent, or in the absence of the superintendent, by a person authorized by the school board, *provided, however*, that no person authorized as aforesaid shall have authority to is- ^{162:9, laws 1911; as amended by 61, laws 1915.}

sue such certificate for any child then in or about to enter such person's own employment, or the employment of a firm or corporation of which he is a member, officer or employee: in the city of Manchester the provisions of chapter 205 of the Session Laws of 1905 shall remain in force, but the person appointed under such provisions shall be subject to the terms of this act.

The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed: ^{162:10, laws 1911.}

(1) The school record of such child properly filled out and signed, as provided in this act.

(2) A passport or duly attested transcript of the certificate of birth or Baptism or public record, showing the date and place of birth of such child.

(3) A certificate from a medical officer of the local board of health, or from a physician designated by the school board, certifying that the child has reached the normal development of a child of his age, and that he is in sufficiently sound health and physically able to perform the work which he intends to do. *Provided, however,* that a certificate which shall be valid only during a vacation period of the

school year may be issued without requiring any certificate of school record; nor shall an ability to read understandingly and write legibly simple sentences in the English language be a prerequisite to the issuance of such certificate. Said certificate shall plainly state on the face thereof the beginning and ending of the period during which it shall be valid, such period in no case to exceed three months; but in all respects other than the above such certificates shall comply with the provisions of this chapter.

No employment certificate shall be issued until the child in question has personally appeared before and been examined by the person issuing the certificate. ^{162:11, laws 1911.}

Every such employment certificate shall state the name, sex, and date and place of birth, of the child, shall describe the color of hair and eyes, the height and weight and any distinguishing facial marks of such child; that all papers required by the preceding sections have been duly examined, approved and filed; that the child named in the certificate has appeared before the person signing the same and been examined; and that such child has been found to be able to read understandingly and write legibly simple sentences in the English language. Every such certificate ^{162:12, laws 1911.}

shall be signed, in the presence of the person issuing the same, by the child in whose name it is issued, and shall show the date of its issue.

The school record required by this ^{162:13, laws} act shall be signed by the principal ^{1911.} or chief executive officer of the school which the child has attended, and shall be furnished on demand to a child entitled thereto.

Such record shall certify that the child has regularly attended the public schools, or private schools lawfully approved as such, for not less than three hundred half-days, as shown by the school register, during the year previous to his arriving at the age of fourteen, or during the year previous to applying for such school record, and that he is able to read understandingly and write legibly simple sentences in the English language. Such school record shall also give the date of birth and residence of the child as shown on the records of the school and the name of his parent, guardian or custodian.

The superintendent of schools or ^{162:14, laws} other person authorized to issue em- ^{1911.}ployment certificates shall keep a record of the same in a book. Such record shall contain a list of the names of all children to whom certificates are granted, numbered consecutively, together with the date of issue and

the signature of the officer issuing the certificate, and such books shall be carefully preserved.

All blank forms for records used in the enforcement and administration of this act shall be uniform throughout the state, shall be prescribed by the superintendent of public instruction, and shall be furnished by the state, and methods of keeping the same shall be approved by him as being within the contemplation of this act. ^{162:15, laws 1911.}

Enforcement. The truant officer of each school district shall visit, inspect, and cause to be enforced the provisions of this act in his district, and for this purpose shall have power to serve warrants. ^{162:16, laws 1911.}

The superintendent of public instruction shall appoint not exceeding three state inspectors, who shall be paid their necessary expenses and such compensation as the governor and council shall determine, not exceeding \$1,200 per annum each, and who shall devote their whole time to their work. ^{162:17, laws 1911.}

The state inspectors, under the direction of the superintendent of public instruction, shall inspect all factories and other places of employment within the contemplation of this act and all records and methods of enforcement. They shall have the same

power as to enforcement and the serving of warrants as the several truant officers.

The superintendent of public instruction with the approval of the attorney-general, may employ counsel, and provide legal assistance, wherever the same may, in his opinion, be necessary for the enforcement of the provisions of this act, and the cost thereof shall be a charge upon the appropriation hereinafter provided.

The superintendent of public instruction shall frequently report to the chairman of the several school boards the relative efficiency of the several truant officers. ^{162:18, laws 1911.}

The governor with the advice and consent of the council may require school boards to appoint additional truant officers if in their judgment such additional officers are necessary.

The governor with the advice and consent of the council may require the school board of any school district to remove any truant officer found by them to be incompetent, and to appoint a competent successor, and upon the failure or neglect of the school board to do so, they may appoint such truant officer and fix his compensation, and such compensation shall be paid by the district.

Children ap-
parently
under sixteen.

An inspector or truant officer shall make demand upon any employer in or about whose place or establishment of a child apparently under the age of sixteen years is employed, or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish him within ten days satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ, or permit, or suffer such child to work, in such place or establishment. The inspector shall require from such employer the same evidence of age, of such child as is required in the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child.

Penalties.

Whoever employs any child, and whoever, having under his control as parent, guardian or otherwise, any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act, shall be fined not less than five nor more than two hundred dollars, or be imprisoned for not less than ten nor more than thirty days, or both, in the discretion of the court.

Whoever continues to employ any child in violation of any of the provisions of this act, after being notified

162:19, laws
1911.

162:20, laws
1911.

162:21, laws
1911.

thereof by an inspector, or truant officer, shall for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars.

Any person authorized to sign any certificate or paper called for by this act, who certifies to any materially false statement therein, shall be fined not less than five nor more than two hundred dollars, or be imprisoned for not less than five nor more than thirty days, or both, in the discretion of the court. ^{162:22, laws 1911.}

Refusal by an employer to produce any employment certificate required by this act shall be *prima facie* evidence of the illegal employment of any child whose employment certificate is not produced. ^{162:23, laws 1911.}

Any superintendent of schools or other person issuing employment certificates, who fails to comply with the provisions of this act shall be fined not less than five nor more than twenty-five dollars. ^{162:24, laws 1911.}

The sum of six thousand five hundred dollars annually is appropriated for the purposes of this act. ^{162:25, laws 1911.}

No female, or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house

labor, operators in telephone and tele-^{156:1, laws}
graph offices and farm labor, more^{1913,}
than ten and one-quarter hours dur-^{amended by}
ing any one day, or more than fifty-^{164, laws}
four hours in any one week. Where a^{1915, and}
minor under eighteen years of age or^{196, laws}
a female is employed in the same day^{1917.}
or week by more than one employer
in manual or mechanical labor in any
employment, except household labor
and nurses, domestic, hotel and board-
ing house labor, operators in tele-
phone and telegraph offices and farm
labor, the total time of employment
shall not exceed that allowed per
day or week in a single employment.
No such minor or female shall be
employed or permitted to work at
night work more than eight hours
in any twenty-four hours nor more
than forty-eight hours during the
week. If any such minor or female
is employed or permitted to work
more than two nights each week for
any time between the hours of eight
o'clock p. m. and six o'clock a. m. of
the day following, such employment
shall be considered night work. Mer-
cantile establishments for the period
or seven days immediately preceding
Christmas day in each year are, as to
regular employees, excepted from the
operation of this section, but the
total number of hours of labor, for
any female, or minor under eighteen

years of age, regularly employed in such establishment, shall not exceed fifty-four hours per week for the full year.

Every employer shall post in a conspicuous place in every room, where such minors or females are employed, a printed notice stating the hours of 196:2, laws commencing and stopping such work, 1917. the time allowed for dinner or other meals, and the maximum number of hours any such minor or female employee is permitted to work in any one day.

The employment of any female, or 196:3, laws minor under eighteen years of age, 1917. in any such place or establishment, as defined in section 1 of this chapter, at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be *prima facie* evidence of a violation of this act.

This act shall take effect January 1, 1918, and the provisions of this act shall not apply to labor performed entirely in the manufacture of munitions or supplies, for the United States government or for the government of the state of New Hampshire, while the United States is at war with any other nation. 196:5, laws 1917.

XIII.

HEALTH AND SANITATION.

Medical
inspection.

Whenever any city, union, special, ^{83:1, laws} or town school district shall adopt ^{1913.} the provisions of this act the said provisions shall be in force in such school district as hereinafter provided.

The school board of the city or ^{83:2, laws} town, in which such school district is ^{1913.} located, shall appoint one or more school physicians of not less than five years' experience, shall assign one to each public and each private school within such school district, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act.

Every school physician shall in the ^{83:3, laws} presence of the teacher at least once ^{1913.} a year, previous notice having been given, make such an examination of every pupil, excepting such as are hereinafter exempted, and of every teacher, janitor, and other employees, of the schools committed to his charge, and of the school buildings, yards and surroundings thereof as the protection of the health of the pupils may require. He shall report the results of his examination to the school board, who shall record the same, and they shall forthwith take such action thereon as in their judg-

ment the public health or the health of the pupils demands.

Every child who shows signs of being in ill health or of suffering from a communicable disease, shall be referred by the teacher to the parents or guardian of such child for examination and diagnosis by some regularly registered physician and if said parents fail or neglect to have such child so examined, and produce a certificate from such physician within two days, then such child shall be examined by said school physician. ^{83:4, laws 1913.}

The school physician shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of smallpox, tuberculosis, diphtheria, influenza, tonsillitis, whooping cough, mumps, scabies, or trachoma, or other communicable disease, he shall be sent home immediately, or as soon as safe and proper conveyance can be found. ^{83:5, laws 1913.}

The school physician shall cause every child in the public schools to be carefully tested and examined in the presence of the teacher at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit ^{83:6, laws 1913.}

of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. The tests of sight and hearing shall be made by the teacher under the direction of the school physician. The physician shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child and shall require a physical record of each child to be kept in such form as the state superintendent of public instruction shall prescribe.

The state board of health shall ^{83:7, laws 1913.} prescribe the directions for tests of sight and hearing, and the superintendent of public instruction shall, in coöperation with the state board of health, prescribe instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act, and shall provide for students in the normal schools instruction and practice in the best methods of testing the sight and hearing of children.

Any parent or guardian may pro- ^{83:8, laws 1913.} test in writing to the teacher against the examination of his or her child or ward, and such pupil shall thereafter be exempt from any examination for or on account of any non-contagious disease or defect.

The district may raise money for ^{83:9, laws} carrying into effect the provisions of ^{1913.} this act.

All acts and parts of acts inconsistent with the foregoing are hereby ^{83:10, laws} repealed, and this act shall take effect ^{1913.} upon its passage.

Tuberculosis. The state board of health is au- ^{17:1, laws}thorized and instructed to prepare, or ^{1913.} cause to be prepared, such bulletin or bulletins on the cause, restriction and prevention of tuberculosis, embodying such facts, suggestions and regulations as in its judgment shall best instruct the public in methods of prevention and restriction, including the proper sanitary management of said disease.

It shall be the duty of the board ^{17:2, laws} of education of every school district ^{1913.} in the state to furnish each teacher of a public school a sufficient number of copies of each bulletin, whenever issued, as to enable the said teacher, whose duty it shall be to distribute one copy to each family represented in said school district.

The board of education shall ascer- ^{17:3, laws}tain, approximately, the number of ^{1913.} copies of said bulletin that may be required under the provisions of the foregoing section and shall report the same to the state board of health within thirty days after request is

made for same by said state board of health.

The state board of health shall, ^{17:4, laws 1913.} as soon as practicable after ascertaining the number of copies of said bulletin that will be required for the distribution herein provided for, cause to be printed and forwarded to each board of education a sufficient number of copies to meet the requirements of section 2 of this act, and such additional number of copies as in the judgment of the said board may be otherwise profitably distributed.

This act shall take effect and be ^{17:5, laws 1913.} in force on and after May 1, 1913.

[Vaccination, see chapter XII on Scholars.]

Contagious diseases.

No parent, guardian, person, or per- ^{16:7, laws 1901.} sons having the custody of any child, shall permit such child, if infected with any communicable disease, or has been exposed to such, to attend any public or private school.

Any person who knowingly violates ^{16:9, laws 1901.} any provision of this chapter, or any regulation established by authority of this chapter, shall be punished by a fine of ten dollars for each offense.

Protection of pupils in public and private schools.

No person shall be employed as ^{101:1, 1917.} teacher or janitor, or in any other capacity, in or about any building used for school purposes who is infected with tuberculosis or any other communicable disease.

The health officer of any town or city shall upon complaint immediately examine, or cause to be examined, any person alleged to be infected as aforesaid and, if he shall find such person to be so infected, he shall order the temporary or permanent suspension of such infected person from duty.

If the health officer shall within ten days from the date of filing of complaint fail to take action as herein provided, the complainant may appeal to the secretary of the state board of health, who shall forthwith cause a competent examination to be made and, if such person is found to be infected as charged, shall order his or her exclusion from school as above provided.

XIV.

OTHER STATUTES RELATING TO PARENTS AND CHILDREN.

State aid,
indigent
deaf, dumb
and blind.

The sum of twenty thousand one hundred and fifty dollars is appropriated for each of the fiscal years 1917 and 1918 for the support and education of deaf and dumb and blind persons of the state.

P. S. 86:1, as
amended 1917.

Upon the recommendation of the State Board of Charities and Correction assistance shall be furnished to such persons, in such amounts, and at

such asylums, schools or other institutions designed for the purpose, as the governor and council shall direct.

The furnishing of such assistance P. S. 86:3. shall not affect the settlement of any person nor his right to vote.

CRUELTY, ETC.

Offenses
against
minors.

If any parent or other person hav- P. S. 265:1.
ing custody of a minor child under the age of fourteen years shall cruelly abandon, or shall treat with gross and habitual cruelty, or shall neglect in such manner as to amount to cruelty, such child, he shall be imprisoned not exceeding one year, or be fined not exceeding one hundred dollars, or both.

Minors not
admitted
to drinking
saloons.

No minor under the age of eighteen P. S. 265:2.
years shall be admitted at any time to, or permitted to remain in, a saloon or place of entertainment where spirituous or intoxicating liquors are sold, exchanged, or given away, or at places of amusement known as dance-houses and concert-saloons or any licensed billiard or pool room, unless accompanied by parent or guardian. If a proprietor, keeper, or manager of any such place shall violate any provision of this section, he shall be fined not exceeding twenty dollars.

Admission
of children
to places of

It shall be unlawful for any person 137:1, 1909.
to admit a child under the age of

amusement
regulated.

fourteen years to any show or place of amusement required by law to be licensed, after sunset, or before sunset during the hours that the public schools are in session, unless he is accompanied by a person of the age of twenty-one years or over; or to permit any such child to remain in the show or place of amusement after the person in charge is informed or has reason to believe that the child is under said age and is unaccompanied by a person as above required.

Whoever violates either of the provisions of section 1 shall be punished by a fine of not more than ten dollars or by imprisonment of not more than thirty days, or both.

Children
under four-
teen not to be
employed in
public exhibi-
tion.

If any person shall employ or ex-
hibit a child under the age of four-
teen years in dancing, playing on
musical instruments, singing, walking
on a wire or rope, or riding or per-
forming as a gymnast, contortionist,
or acrobat in any circus or theatrical
exhibition, or in any public place
whatsoever, or shall cause, procure, or
encourage any such child to engage
therein, or if any person having the
custody or control of any such child
shall permit him to be so employed,
such person shall be fined not exceed-
ing one hundred dollars; but nothing
in this section shall be construed to
prevent the education of children in

P. S. 265:3

vocal and instrumental music, or their employment as musicians in any church, chapel, or school, or school exhibition, or to prevent their taking part in any concert or musical exhibition.

Sale of toy pistols prohibited.

If any person shall have in his possession a toy pistol, toy revolver, or other toy firearms, for the explosion of percussion caps or blank cartridges, with intent to sell the same, or shall sell, or offer to sell or to give away the same, he shall be fined not more than fifty dollars; and he shall be liable for all damages resulting from the use of the toy pistol, revolver, or other firearms by him sold or given away, to be recovered in an action on the case. P. S. 265:4.

Sale of cigarettes and tobacco prohibited.

If any person shall sell cigarettes or tobacco in any other form to a minor, he shall be fined not more than fifty dollars for each offense. P. S. 265:5.

(1895, Ch. 7, Sect. 1. If any person other than the minor's parent or guardian shall give or deliver any cigarette, snuff, or tobacco in any of its forms, to any minor under eighteen years of age, he shall be fined not more than fifty dollars for each offense.)

OBSCENE LITERATURE.

Selling obscene literature prohibited.

No person shall print or publish, or sell, lend, give, or show to any other person any obscene book, pamphlet, P. S. 265:6.

magazine, newspaper, print, or picture, or any printed paper devoted to the publication or illustration of stories or accounts of bloodshed, lust, or crime, or principally made up of police reports and criminal news, and no person shall circulate, display, or post any advertisement of any such literature or pictures, or cause it to be done.

Employing
minor
children for
that purpose.

No person shall in any manner hire, P. S. 265:7.
employ, or use any minor to sell, or
give away, or in any manner to dis-
tribute any such literature, picture,
or advertisement.

Permitting
minor
child to be
employed.

No person having the care or con- P. S. 265:8.
trol of a minor child shall permit
such child to sell or give away any
such reading matter or any such ad-
vertisement.

Penalty.

If any person shall violate any of P. S. 265:9.
the provisions of the three preceding
sections, he shall be fined not more
than one hundred dollars, or be im-
prisoned not more than six months,
or both.

Minor chil-
dren mentally
or physically
incompetent.

No minor between the ages of three 116, laws
and fifteen years shall be supported 1895.
at any county almshouse in this state
for more than sixty days, unless the
consent of the Board of Charities
shall have been obtained, excepting
such as are under serious physical
disability or are mentally incapaci-
tated for education, or are under sen-
tence for crime; and it shall be the

duty of the commissioners of the various counties to find suitable homes for such minor children within said period of sixty days. On and after the expiration of said sixty days, if suitable homes have not been provided said minors, other than said county almshouse, the State Board of Charities shall have full control over said minor children, and shall be charged with the duty of procuring permanent homes for said minors, as a board or through such agent as said board may appoint, whenever it shall appear to them that the welfare of the minor will be promoted thereby, at the expense of the county to which said minor is chargeable, the compensation to be the same as is allowed the county commissioners.

Minor children to be supported.

It shall be the duty of the overseers of the poor of towns and cities ^{91:2, laws of 1897.} liable for the support of such minors, and of the county commissioners of counties liable for such support, to procure such minors supported at some orphan asylum or home or with some private family or families of good repute.

Homes to be found for such children.

It shall be the duty of overseers ^{91:3, laws of 1897.} of the poor and county commissioners, as soon as practicable, to find permanent homes for all such orphan minors, and make contracts for their education and support during minor-

ity, and all such contracts shall be subject to rescision by the State Board of Charities, whenever the interest of such minors shall make it necessary, and said Board of Charities shall have the same authority, in respect to the control of all children for whom they provide permanent homes, as is now vested in overseers of the poor and county commissioners.

The overseers of the poor in any town, or the county commissioners of any county, may send to the New Hampshire Orphans' Home, or to any orphans' home in this state, or other institution devoted to or suitable for the care, protection and education of children, upon such terms as may be agreed upon, all children residing in their respective towns or counties who are not employed in some lawful business, and whose parents are unable or neglect to maintain them; but, in the selection of such home or institution, said overseers and commissioners shall give the preference to that home or institution that is conducted by or under the auspices of the church or religious denomination of which that child or the child's parents are members; and said home or institution shall thereupon have the same authority in respect to such children as is now vested in overseers of the poor and county commissioners.

61:1, laws of
1893.

Placing
out dependent
children.

The state board of charities and correction is hereby authorized and empowered to procure suitable family homes, where practicable, for dependent and neglected children. Said board or its agent shall inspect such homes previous to such placing, maintain subsequent watch, care and supervision of such children, and may remove any such child from such home, at any time when, in its judgment, the conditions therein are not for the best interest of the child. Said board may, when in its judgment the health or condition of any such child shall require it, cause such child to be placed in a hospital or institution for special treatment and care. It shall be the duty of said board, in placing such children, to place them, if practicable, with people of like religious faith with the parents of said children. It shall be the duty of any person, public official, society or institution placing any dependent or neglected child in any family home or institution, to give notice in writing to the state board of charities and correction, within ten days after such placing, stating the name of such child and the names, residence or location of the person or institution with whom or in which such child is placed.

104:1, 1917.

The expense for the maintenance and care of any such dependent or neglected child shall be borne by the county, city or town legally chargeable for its support if it were a public charge, *provided, however*, that such expense for maintenance and care shall be first approved by the county commissioners, or overseers of the poor, of such county, city or town, and such county, city or town shall have a right of action over for such expense against the parents or guardian of such child.

It shall be the duty of the board 104:3, 1917. to assist in the enforcement of all laws for the protection of children and to investigate charges that may be brought to its attention, and, if a crime has been committed, to report to the county solicitor of the county in which the alleged offense has been committed.

Said board, with the approval of 104:4, 1917. the governor and council, is hereby authorized and empowered to employ such agent or agents as may be necessary properly to perform the duties imposed upon it by law.

Minor children mentally or physically incompetent.

That as used in this act the word 71:1, laws 1907. children shall be limited to mean children under sixteen years of age and also such children over sixteen years of age and under twenty-one years as by reason of physical or

mental infirmity are incapable of supporting themselves; and further that separation within the meaning of this act shall include, in addition to the cases embraced within the usual meaning of the word, every case where a husband has caused his wife to leave him by conduct on his part which would be ground for divorce and also every case where by extreme cruelty or other conduct it becomes improper for children to remain with their father and have for this reason become separated from him.

Penalty for
desertion by
husband or
father

If any husband or father being ^{71:2, laws} within the limits of this state shall ^{1907.} hereafter separate himself from his wife or from his children or from his wife and children without reasonable cause and shall wilfully neglect to maintain his children, and his wife when such wife is destitute or dependent wholly or in part on her earnings for adequate support he shall be guilty of a misdemeanor, and on conviction thereof be sentenced to jail or the house of correction for a period or not more than six months and to pay a fine not exceeding twenty dollars or either or both at the discretion of the court; such fine, if any, to be paid or applied in whole or in part to the deserted wife or children, as the court may direct.

Provided no such conviction, payment of fine or undergoing imprisonment shall in any manner affect the obligation of any order for support theretofore made against the defendant; and *provided further* that upon conviction the court may suspend sentence upon and during compliance by the defendant with any order for support theretofore made against him as already made or as may theretofore have been modified in the manner now provided by law: and if no such order shall have been made then the court trying the defendant may make such order for the support by the defendant of his wife and children or either of them, which order shall be subject to modification by the court on cause shown and the court may suspend sentence upon and during compliance by the defendant with such order as originally made or as subsequently modified by the court.

Penalty for
desertion by
wife or
mother.

If any woman or mother shall separate herself as the term is defined in section 1 of this act from her husband without cause, or from her children, she shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to the county jail or the house of correction for a term not exceeding six months and to pay a fine not exceeding twenty dollars or either or both as the court may de-

71:3, laws
1907.

termine, the fine, if any, to be applied in the discretion of the court to the benefit of the deserted husband or children or both.

Treatment
and control
of dependent,
neglected and
delinquent
children.

This act shall apply only to children under the age of seventeen years. ^{125:1, laws 1907.}

For the purpose of this act the words dependent child shall mean any child who for any reason is destitute, or homeless or abandoned; and dependent upon the public for support, or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill-fame or with any vicious or disreputable persons, or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardians or other person in whose care it may be, is an unfit place for such child. The words delinquent child shall include any child under the age of seventeen years who violates any law of this state or any city or town ordinance, or who is incorrigible, or who knowingly associates with vicious or immoral persons, or is growing up in idleness or crime; or who knowingly patronizes any place where gambling is carried on or frequents a house of ill-fame. The word association shall include any corporation which includes in its purpose the care or disposition of children coming within the meaning of this act.

Police and justice courts shall have^{125:2, laws 1907.} original jurisdiction in all cases coming within the terms of this act.

Courts shall designate suitable^{125:3, laws 1907; and 96, laws 1915.} times for the hearing of cases of juvenile offenders, and dependent or delinquent children, which shall be called the session for children, for which a separate docket shall be kept. Said session shall be separate from that for the trial of criminal cases, and as far as practicable shall be held in rooms not used for such trials. No minor shall be allowed to be present at any such hearing unless his presence is necessary, either as a party or witness, or, in the opinion of the court in the interests of justice. It shall be unlawful for any newspaper to publish the name, or address, or any other particular information serving to identify any juvenile delinquent arrested, without the express permission of the court, and it shall be unlawful for any newspaper to publish any of the proceedings of any juvenile court.

Any reputable person having knowl-^{125:4, laws 1907.} edge of a child who appears to be either dependent or delinquent, may file with the clerk of the court a petition in writing setting forth the facts, verified by affidavit.

Upon the filing of the petition a^{125:5, laws 1907.} summons or notice shall issue requir-

ng the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons or notice, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence is known, or its legal guardian, if one there be, or if there is neither parent nor guardian, or if his or her residence is not known, then some relative if there be one, and his residence is known shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. If the person summoned, as herein provided, shall fail without reasonable cause to appear and abide the order of the court, or bring the child, he may be proceeded against as in case of contempt of court. In case a summons can not be served or the party served fails to obey the same, and in any case where it shall be made to appear to the court that such summons or notice will be ineffectual, a warrant may issue on order of the court, either against the parent or guardian or the person having custody of the child or with whom the child may be or against the child itself. On the return of the summons or notice or other process or as soon thereafter

as may be. the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of the case, the child may be retained in the possession of the person having charge of the same, or in the possession of the probation officer hereinafter provided for, or may be kept in some suitable place provided by the city, county or state authorities.

The justice of each police court^{125:6, laws 1907.} shall appoint one person to perform the duties of probation officer as hereinafter named under the jurisdiction of said court; and the justice of any other court may in his discretion, appoint a probation officer to act under the jurisdiction of such court. Each probation officer shall hold his office during the pleasure of the justice who makes the appointment.

Such probation officer shall not be^{125:7, laws 1907.} an active member of the regular police force, but shall in the execution of his official duties have all the powers of police officers. The records of any probation officer may at all times be inspected by the chief of police or city marshal of any town or city.

Each probation officer shall inquire^{125:8, laws 1907.} into the nature of every criminal case brought before the court under whose jurisdiction he acts, and may recom-

mend that any person convicted by said court may be placed upon probation; the court may place any person so convicted in the care of said probation officer for such time and upon such conditions as may seem proper.

Each person released upon probation as aforesaid shall be furnished ^{125:9, laws 1907.} by the probation officer with a written statement of the terms and conditions of his release; each probation officer shall keep full records of all cases investigated by him, of all cases placed in his care by the court and of any other duties performed by him under this act.

The clerk of each court, or the justice thereof if there is no clerk, shall, ^{125:10, laws 1907.} when an appointment is made under this act, forthwith notify the State Board of Charities and Correction of the name of the officer so appointed. Each probation officer shall make a monthly report to the said board in such form as said board shall direct.

The compensation of each probation officer shall be determined by the justice of the court under whose jurisdiction he acts and shall be paid by the city or town wherein said court is established. ^{125:11, laws 1907.}

A probation officer shall, at the request of any justice of the superior court, investigate the case of any per- ^{125:12, laws 1907.}

son on trial in that court and make a report of the same to the justice, and may upon order of the court take on probation any person convicted in said court; the compensation for such services shall be paid from the treasury of the county upon vouchers approved by said justice.

When any child under the age of ^{125:13, laws 1907, as amended by 74, laws 1917.} seventeen years shall be found to be dependent or neglected within the meaning of this act, the court may make an order committing the child to the care of the state board of charities and correction or to some society or association embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, and which has been approved by said board. The expense of the maintenance of such child shall be borne by the county, city or town legally chargeable for its support if it were a public charge, *provided, however,* that such expense for maintenance and care shall be first approved by the county commissioners, or overseers of the poor, of such county, city or town, and such county, city or town shall have a right of action over for such expense against the parent or guardian of such child.

In any case where the court shall ^{125:14, laws 1907.} award a child to the care of any

association or individual in accordance with the provisions of this act, the child shall, unless otherwise ordered, become a ward and be subject to the guardianship of the association or individual to whose care it is committed. Such association or individual shall have authority to place such child in a family home and may be made party to any proceedings for the legal adoption of the child, and may by its or his attorney or agent, appear in any court where such proceedings are pending and assent to such adoption, and such assent shall be sufficient to authorize the court to enter the proper order or decree of adoption. Such guardianship shall not include the guardianship of any estate of the child.

In the case of a delinquent child, the court may continue the hearing from time to time, and may commit the child to the care and custody of a probation officer, and may allow said child to remain in its own home subject to the visitation of the probation officer; such child to report to the probation officer as often as may be required and subject to be returned to the court for further or other proceedings whenever such action may appear to be necessary; or the court may cause such child to be placed in a suitable family home, sub-

125:15, laws
1907.

ject to the friendly supervision of a probation officer, and the further order of the court; or it may authorize the child to be boarded out in some suitable family home in case provision is made by voluntary contribution or otherwise made for payment of the board of such child until a suitable provision is made for the child in a home without payment. In case the court shall find that any child brought before it for hearing for violation of any of the laws of this state ought to be subjected to punishment therefor under the laws of this state, the court may order the said child to furnish sufficient sureties for his appearance at the next term of the superior court to be holden in the county wherein said child may be arraigned, and in default thereof the child may be committed to the State Industrial School, there to be kept until his case shall be disposed of by said superior court.

No court shall commit a child under seventeen years of age to a jail or police station, but if such child is unable to give bail, it may be committed to the care of a probation officer or kept in some suitable institution provided by the state, outside the enclosure of any jail or police station. No child shall be sentenced to confinement to any institution wherein adult convicts may be confined.

125:16, laws
1907.

The court in committing children shall place them as far as practicable in the care and custody of some individual holding the same religious belief as the parents of said child, or with some association which is controlled by persons of like religious faith of the parents of the child. No child under the supervision of any state institution shall be denied the free exercise of the religion of his parents nor the liberty of worshiping God according to the religion of his parents whether living or dead.

Nothing in this act shall be construed to repeal any portion of the criminal law of this state nor to in any manner abridge the powers of the superior court nor the right of appeal granted under law from orders and decrees of police and justice courts.

This act shall be liberally construed to the end that its purpose may be carried out, *to wit*: that the care, custody, and disposition of a child shall approximate as nearly as may be that which should be given by its parents, and in cases where it can properly be done, the child to be placed in an approved family home and become a member of the family by legal adoption or otherwise.

Any officer who neglects to perform any of the duties required of him shall forfeit two hundred dollars for each offense.

The word "juvenile" in this act 31:1, 1917. shall mean any boy or girl under the age of seventeen years.

The court records of criminal proceedings with reference to juveniles in all courts in this state shall be kept in separate books and files from all other court records.

Juvenile
court.

Neither the record of the arrest, 31:3, 1917. trial or conviction of juvenile offenders, nor the fact of such arrest, trial or conviction, shall be admissible in evidence or in any way shown in any action or proceeding of a criminal or civil nature, except during the period for which said juvenile offender has been placed on probation by any court in the state or within two years after the discharge of any such juvenile offender from any institution to which he may have been committed by any court in the state; and every such record of proceedings heretofore or hereafter entered or kept as aforesaid against any such juvenile shall become a sealed record and no longer accessible to any person, and shall remain in the custody of the court wherein the same is of record, after the expiration of the period for which said juvenile has been placed on probation by any court, or the expiration of two years after the discharge of any such juvenile from an institution to which

he may have been committed by any court, as the case may be, unless it shall be made to appear to said court that, prior to the expiration of said period of probation or the expiration of two years after the discharge of any such juvenile from any institution, as aforesaid, such juvenile shall have been convicted of an offense under the laws of this or any other state.

Whenever a minor under the age of 101:15, 1913. seventeen years shall be convicted of an offense punishable otherwise than by imprisonment for life, he shall be sentenced to the industrial school for the term of his minority. *Provided*, that nothing in this act shall be deemed to prevent such sentence being suspended under the provisions of any other law.

Whenever a minor under the age of 101:16, 1913. seventeen is a truant, or incorrigible, or knowingly associates with vicious or immoral persons, or is growing up in idleness or crime, or knowingly patronizes any place where gambling is carried on, or frequents a house of ill-fame and such minor is brought before a court or justice, such court or justice may, upon such fact being shown, order the minor to be committed to the industrial school for the term of his minority.

Whenever the Trustees of the Industrial School shall deem it proper and for the best interests of any child under their charge that such child shall be released from the school before attaining the age of twenty-one years, they may release him upon such conditions as they may in their discretion fix. No release shall be effective until provisions have been made for the proper care of the released person elsewhere than at the school.

Committal of females to School for Feeble-Minded. Whenever it is made to appear upon application to the judge of probate for any county, and after a proper hearing, that any feeble-minded child or any feeble-minded female of child-bearing age resident within said county, and who is not already in any almshouse, the Industrial School, or the New Hampshire hospital, or supported by any town or county, is a fit subject for the New Hampshire School for Feeble-Minded Children, such judge may commit such child or feeble-minded female to said New Hampshire School for Feeble-Minded Children by an order of commitment directed to the trustees thereof, accompanied by the certificate of two physicians who are graduates of some legally organized medical college and have practiced three years in this state that such feeble-

101:21, 1913.
47:5, laws
1909.

mind ed female is a suitable subject for said institution. Whenever, upon such application, there is occasion for the judge of probate to attend a hearing on days other than those fixed by statute as the regular days for the sitting of the probate court he shall be allowed five dollars a day for his services and his expenses, which shall be paid by the county treasurer upon the certificate of the county commissioners.

Feeble-minded persons shall be ad-47:7, laws of
mitted to the institution in the fol-1909.
lowing order: First, feeble-minded children now in public institutions supported entirely at public expense; second, the feeble-minded children not supported as aforesaid; third, the feeble-minded children of the state not in any public institution, who have no parents, kinsmen, or guardian able to provide for them, or persons who are committed by a judge of probate; fourth, those residing within the state whose parents, kinsmen, or guardian bound by law to support such children are able to pay; fifth, children of other states whose parents or guardians are able and willing to pay.

Committal of
minors to
Industrial
School.

Whenever a minor under the age of 155:14, laws
seventeen years shall be convicted of 1911.
an offense punishable by imprison-
ment, otherwise than for life, and

shall be sentenced accordingly, the court or justice, upon application of the minor, his friends or the state's attorney, may order that instead of such imprisonment, the minor may be sent to and be kept employed and instructed at the Industrial School for such term, not extending beyond the age of twenty-one years, as the court or justice shall judge most for his true interest and benefit, *provided* he shall conduct himself according to the regulations of the school. A copy of such order shall be sufficient authority for his commitment and detention at the school.

Penalty for neglect or refusal to provide for legitimate or illegitimate minor children.

Any person who shall, without ^{57:1, laws} cause, desert or wilfully neglect or re-^{1913.} fuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances, or any person who shall without lawful excuse desert or wilfully neglect or refuse to provide for the support and maintenance of his or her legitimate or illegitimate minor child or children under the age of sixteen years in destitute or necessitous circumstances shall be guilty of a crime and on conviction thereof shall be punished by fine not exceeding three hundred dollars (\$300) or imprisonment for a term not exceeding fifteen months, or both such fine and imprisonment in the discretion of the court.

Chapter 108 of the Session Laws of 57:2, laws
1905 is hereby repealed and this act 1913.
shall take effect upon its passage.

Marriage
under age of
consent.

If special cause exists rendering 80:3, laws
desirable the marriage of a person 1907,
resident in this state below the age amended
79, 1917.
of consent and above the ages speci-
fied in section 1 of this act, the par-
ties desiring to contract such mar-
riage, with the parent or guardian
having the custody of such of those
parties as is below such age, if there
be such parent or guardian within
the state, may apply in writing to any
justice of the superior court, or to
the judge of probate of the county in
which the party below the age of con-
sent resides, or the county in which
one of them resides, if both be below
such age, for permission to contract
such marriage. Such justice or judge
shall at once hear the parties, and if
he is satisfied that special cause
exists making such marriage desir-
able, he shall grant his permission
therefor in writing, which permission
shall be filed with the clerk of the
superior court or register of probate,
as the case may be, for the county in
which the petition is filed and shall
be by said clerk or register certified
to the city or town clerk to whom
application is made for license to con-
tract such marriage; and such clerk
shall minute the fact of the granting

of such permission upon the license issued by him, and upon the record thereof perserved by him, and upon all copies thereof which he is by law required to make.

Aid for
destitute
mothers and
children.

It shall be the duty of the superintendent of public instruction to recommend a special appropriation at each session of the legislature of an amount sufficient to meet the purposes of this act for the partial support of mothers. ^{132:1, laws 1915.}

The allowance to each of such mothers shall not exceed ten dollars a month when she has but one child under the age of sixteen years; and if she has more than one child under the age of sixteen years, it shall not exceed the sum of ten dollars a month for the first child and five dollars a month for each of the other children under the age of sixteen years. ^{132:2, laws 1915.}

A petition in writing, signed by the mother and verified by affidavit, asking for an allowance under the provisions of this act and setting forth in detail the facts of the case, shall be filed with the school board of the town wherein such mother is a resident, and it shall be the duty of the school board to make immediate investigation of the facts. The school board shall then make an official written recommendation of the amount of support that such mother ^{132:3, laws 1915.}

should receive and shall file the same, together with a copy of such mother's petition, with the department of public instruction.

It shall be the duty of the department of public instruction to make a further personal investigation of the case, when the facts set forth in the original petition of such mother and recommendation of the school board warrant any action being taken, and increase or decrease the amount of the allowance recommended in the report of the school board on such case in their discretion, and such investigation shall be made by them within fourteen days of the date of the filing of the recommendation of the school board. The department of public instruction may increase or decrease the amount of such allowance at any time thereafter, to meet the varied needs of such mother, but no change in the amount of such allowance shall be made without an official recommendation in writing from the school board of the town wherein such mother is a resident, or a personal investigation by the department of public instruction at a period of not more than thirty days prior to such change in the amount of such allowance.

No aid shall be rendered to dependent mothers under the preceding

132:4, laws
1915.

132:5, laws
1915.

sections of this act except under the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when, in the absence of such allowance, the mother would be required to work regularly away from home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the school board of the town or the department of public instruction, be a proper person, morally, physically, and mentally, for the bringing up of her children; (4) no person shall receive the benefit of this act who shall not have been a resident of the state for at least two years next before the making of such application for an allowance under this act.

Whenever any child shall reach the age of sixteen years, an allowance made to the mother of such child for his benefit shall cease. ^{132:6, laws 1915.}

The provisions of this law shall not apply to any woman who is not dependent on her own efforts for the support of herself and family and at the time of receiving such aid is not of good repute and making an earnest effort for self-support. ^{132:7, laws 1915.}

All expenses incurred by school boards under the provisions of this act shall be paid out of the school money of the town or city where such case arises. ^{132:8, laws 1915.}

[The sum of twenty thousand dollars was appropriated to cover the provisions of this act for the year ending August 31, 1918, and a like amount for the year ending August 31, 1919.]

Military
instruction in
public
schools.

The use of any of the armories now owned or hereafter erected by the state of New Hampshire shall be available to organized bodies of the citizenry of this state for the purpose of military drill and instruction, under such regulations for the care of the same and the safe keeping of any state property that may be therein as may be formulated by the adjutant-general and approved by the governor and council. Application for the use of such armories must be made by the elected officers of the organizations desiring the use of the armory or armories of this state in such manner as the adjutant-general may prescribe, and the military instruction and the exercises practiced therein shall be approved by and subject to the inspection of said adjutant-general at any time. ^{132:10, laws 1915.} ^{100:1, 1917.}

Cities and towns are hereby author- 100:2, 1917.
ized to include military drill and physical exercises in the courses of instruction provided by them in the public schools and to appropriate for such purposes such sums as they may see fit.

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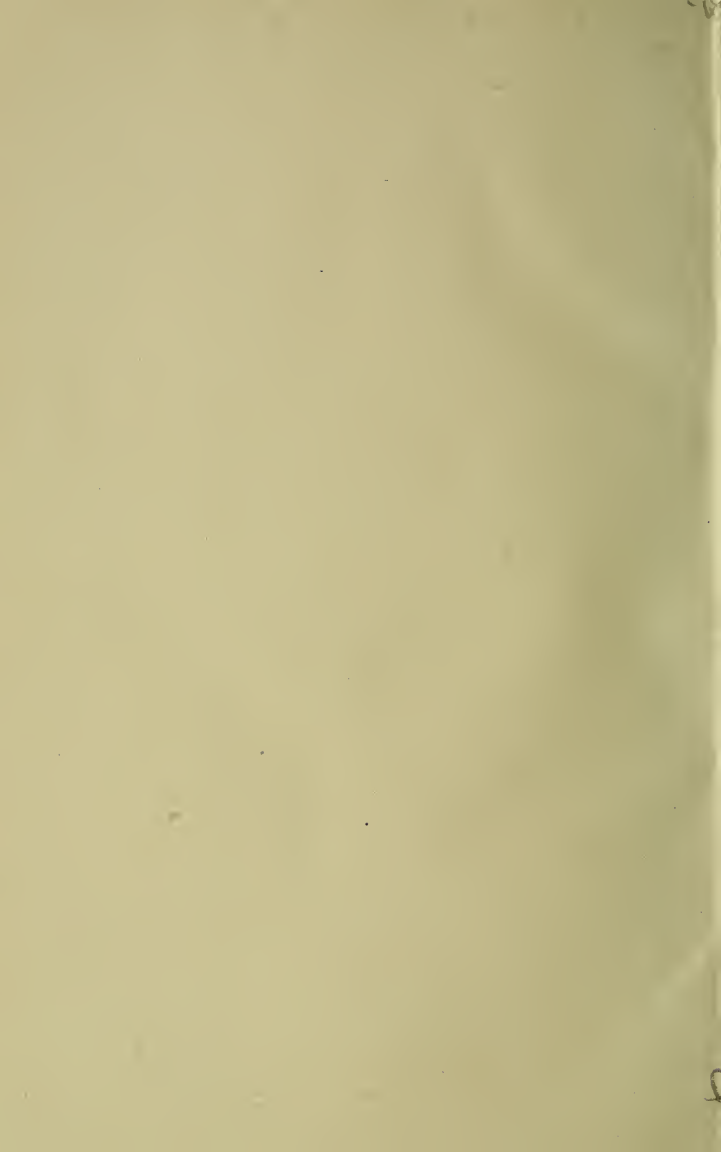
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